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4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA  
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7 CHERYL TROUTT,  
8 Plaintiff,

9 v.

10 WELLS FARGO BANK, N.A., et al.,  
11 Defendants.

Case No. [16-cv-03993-EDL](#)

**ORDER REFERRING CASE TO ADR  
UNIT FOR ASSESSMENT TELEPHONE  
CONFERENCE**

12 Pursuant to Civil Local Rule 16-8 and ADR Local Rule 2-3, the court refers this  
13 foreclosure-related action to the Alternative Dispute Resolution (ADR) Unit for a telephone  
14 conference to assess this case's suitability for mediation or a settlement conference. Plaintiff and  
15 defendants' counsel shall participate in a telephone conference, to be scheduled by the ADR Unit  
16 as soon as possible but no later than October 31, 2016.

17 Plaintiff and defendants' counsel shall be prepared to discuss the following subjects:

- 18 (1) Identification and description of claims and alleged defects in loan documents.  
19 (2) Prospects for loan modification.  
20 (3) Prospects for settlement.

21 The parties need not submit written materials to the ADR Unit for the telephone  
22 conference.

23 In preparation for the telephone conference, plaintiff shall do the following:

- 24 (1) Review relevant loan documents and investigate the claims to determine whether  
25 they have merit.  
26 (2) If plaintiff is seeking a loan modification to resolve all or some of the claims,  
27 plaintiff shall prepare a current, accurate financial statement and gather all of the  
28 information and documents customarily needed to support a loan modification

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request. Further, plaintiff shall immediately notify defendants' counsel of the request for a loan modification.

- (3) Provide counsel for defendants with information necessary to evaluate the prospects for loan modification, in the form of a financial statement, worksheet or application customarily used by financial institutions.
- (4) In preparation for the telephone conference, counsel for defendants shall do the following.
- (5) If defendants are unable or unwilling to do a loan modification after receiving notice of plaintiff's request, counsel for defendants shall promptly notify plaintiff to that effect.
- (6) Arrange for a representative of each defendant with full settlement authority to participate in the telephone conference.

The ADR Unit will notify the parties of the date and time that the telephone conference will be held. After the telephone conference, the ADR Unit will advise the court of its recommendation for further ADR proceedings.

**IT IS SO ORDERED.**

Dated: July 27, 2016

  
ELIZABETH D. LAPORTE  
United States Magistrate Judge