

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CLARISSA C. CORTEZ,
Plaintiff,
v.
NEW CENTURY MORTGAGE CORPORATION,
SAXON MORTGAGE SERVICES, INC., OLD
REPUBLIC NATIONAL TITLE INSURANCE
COMPANY, PACIFIC MORTGAGE
CONSULTANTS, AND DOES 1 through 50,
inclusive,
Defendants.

No. C 11-01019 CW
ORDER REFERRING
CASE TO
ALTERNATIVE
DISPUTE
RESOLUTION UNIT
FOR INITIAL
ASSESSMENT

_____ /

Pursuant to Civil L.R. 16-8 and ADR L.R. 2-3, the Court refers this foreclosure-related action to the Alternative Dispute Resolution (ADR) Unit to assess this case's suitability for mediation or a settlement conference. Plaintiff Clarissa C. Cortez and Defendants who have been served--Saxon Mortgage Services and Old Republic Title Company, or their counsel--shall participate in a telephone conference, to be scheduled by the ADR Unit on a date before March 25, 2011.

The parties or their counsel shall be prepared to discuss the following subjects:

- 1 (1) Identification and description of claims and alleged
2 defects in loan documents.
3 (2) Prospects for loan modification.
4 (3) Prospects for settlement.
5 (4) Any other matters that may be conducive to the just,
6 efficient and economical determination of the
7 action.

8 The parties need not submit written materials to the ADR Unit for
9 the telephone conference.

10 In preparation for the telephone conference, Plaintiff shall
11 do the following:

- 12 (1) Review relevant loan documents and the claims she
13 has filed.
14 (2) If Plaintiff is seeking a loan modification to
15 resolve all or some of her claims, she shall prepare
16 a current, accurate financial statement and gather
17 all of the information and documents customarily
18 needed to support a loan modification request.
19 Further, Plaintiff shall immediately notify
20 Defendants' counsel of her request for a loan
21 modification.
22 (3) Provide counsel for Defendants with information
23 necessary to evaluate the prospects for loan
24 modification. The general and financial information
25 provided to Defendants may be in the form of a
26 financial statement, worksheet or application
27 customarily used by financial institutions.

28 In preparation for the telephone conference, counsel for
29 Defendants shall do the following.

- 30 (1) If Defendants are unable or unwilling to do a loan
31 modification after receiving notice of Plaintiff's
32 request, counsel for Defendants shall promptly
33 notify Plaintiff to that effect.
34 (2) Arrange for a representative of each Defendant with
35 full settlement authority to participate in the
36 telephone conference.

37 The ADR Unit will provide the parties with additional

1 information regarding the telephone conference, including the date
2 it will be held. After the telephone conference has been held, the
3 ADR Unit will advise the Court of its recommendation for further
4 ADR proceedings.

5 IT IS SO ORDERED.

6 Dated: 3/10/2011



CLAUDIA WILKEN
United States District Judge

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1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 CLARISSA C. CORTEZ,

5 Plaintiff,

6 v.

7 NEW CENTURY MORTGAGE CORP et al,

8 Defendant.

Case Number: CV11-01019 CW

CERTIFICATE OF SERVICE

9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court,
10 Northern District of California.

11 That on March 10, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located
14 in the Clerk's office.

15 Clarrisa C. Cortez
16 2609 Covelite Way
17 Antioch, CA 94531

18 Dated: March 10, 2011

Richard W. Wieking, Clerk
By: Nikki Riley, Deputy Clerk