

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

JAIME RODRIGUEZ,

Plaintiff,

v.

WELLS FARGO BANK, N.A.; and FIRST  
AMERICAN TRUSTEE SERVICING  
SOLUTIONS, LLC,

Defendants.

No. C 11-03654 CW

ORDER GRANTING  
PLAINTIFF'S  
APPLICATION TO  
PROCEED IN FORMA  
PAUPERIS, VACATING  
OCTOBER 27, 2011  
HEARING AND  
SETTING DEADLINE  
FOR RESPONSE TO  
DEFENDANT'S MOTION  
TO DISMISS

\_\_\_\_\_ /

United States District Court  
For the Northern District of California

Plaintiff Jaime Rodriguez's application to proceed in forma pauperis is GRANTED. The Clerk shall issue a summons. The U.S. Marshal for the Northern District of California shall serve, without prepayment of fees, a copy of the complaint, any amendments, scheduling orders, attachments, plaintiff's affidavit and this order upon Defendant Wells Fargo Bank, N.A.<sup>1</sup>

Having reviewed Plaintiff's complaint, the Court finds that this case would be appropriate for referral to the Court's Alternative Dispute Resolution (ADR) Unit to assess this case's suitability for mediation or a settlement conference. This assessment is made through a telephone conference with the parties. However, Wells Fargo has not yet been served. The Court

<sup>1</sup> Defendant First American Trustee Servicing Solutions, LLC has appeared in the case, having filed a motion to dismiss the complaint. Docket No. 6.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

will delay referring the case to the ADR Unit until Wells Fargo is served.

The hearing set for October 27, 2011, on First American Trustee's pending motion to dismiss, is VACATED. Plaintiff has yet to oppose the motion. Plaintiff shall submit his response within fourteen days after the date the ADR telephone conference is held. If Plaintiff fails to do so, the motion will be granted for lack of opposition. The Court will consider the motion on the papers.

IT IS SO ORDERED.

Dated: 10/20/2011

  
\_\_\_\_\_  
CLAUDIA WILKEN  
United States District Judge

cc: ADR