

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

3  
4 HERNANDO CAAMPUED and CECILIA  
5 CAAMPUED,

6                                    Plaintiffs,

7                                    v.

8 DEUTSCHE BANK NATIONAL TRUST  
9 COMPANY as Trustee for HARBORVIEW  
10 MORTGAGE LOAN TRUST 2006-8, et  
11 al.,

12                                    Defendants.

No. C 12-1223 CW

ORDER REFERRING  
CASE TO ADR UNIT  
FOR ASSESSMENT  
TELEPHONE  
CONFERENCE

11 \_\_\_\_\_/

12

13                                    Pursuant to Civil Local Rule 16-8 and ADR Local Rule 2-3, the  
14 Court refers this foreclosure-related action to the Alternative  
15 Dispute Resolution (ADR) Unit for a telephone conference to assess  
16 this case's suitability for mediation or a settlement conference.  
17 Plaintiffs, their counsel and Defendants' counsel shall  
18 participate in a telephone conference, to be scheduled by the ADR  
19 Unit as soon as possible but no later than May 10, 2012.

20                                    Counsel for Plaintiffs and Defendants shall be prepared to  
21 discuss the following subjects:

- 22
- 23                                    (1) Identification and description of claims and  
24                                    alleged defects in loan documents.
  - 25                                    (2) Prospects for loan modification.
  - 26                                    (3) Prospects for settlement.

27 The parties need not submit written materials to the ADR Unit for  
28 the telephone conference.

1 In preparation for the telephone conference, Plaintiffs and  
2 their counsel shall do the following:

- 3 (1) Review relevant loan documents and investigate the  
4 claims to determine whether they have merit.
- 5 (2) If Plaintiffs are seeking a loan modification to  
6 resolve all or some of the claims, Plaintiffs shall  
7 prepare a current, accurate financial statement and  
8 gather all of the information and documents  
9 customarily needed to support a loan modification  
10 request. Further, Plaintiffs shall immediately  
11 notify Defendants' counsel of the request for a  
12 loan modification.
- 13 (3) Provide counsel for Defendants with information  
14 necessary to evaluate the prospects for loan  
15 modification, in the form of a financial statement,  
16 worksheet or application customarily used by  
17 financial institutions.


18 In preparation for the telephone conference, counsel for  
19 Defendants shall do the following.

- 20 (1) If Defendants are unable or unwilling to do a loan  
21 modification after receiving notice of Plaintiffs'  
22 request, counsel for Defendants shall promptly  
23 notify Plaintiffs to that effect.
- 24 (2) Arrange for a representative from Defendants with  
25 full settlement authority to participate in the  
26 telephone conference.

27 The ADR Unit will notify the parties of the date and time  
28 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: 4/23/2012

  
Claudia Wilken  
United States District Judge

cc: ADR