

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

3  
4 ADE HAMZA and MORENIKE HAMZA,

No. C 12-1391 CW

5                                    Plaintiff,

ORDER REFERRING  
CASE TO ADR UNIT  
FOR ASSESSMENT  
TELEPHONE  
CONFERENCE

6                                    v.

7 U.S. BANK NATIONAL ASSOCIATION,  
8 et al.,

9                                    Defendants.

10 \_\_\_\_\_/

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

18  
19                                    Plaintiffs and Defendants' counsel shall be prepared to  
20 discuss the following subjects:

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

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

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

- 3 (1) Review relevant loan documents and investigate the  
4 claims to determine whether they have merit.
- 5 (2) If Plaintiff is seeking a loan modification to  
6 resolve all or some of the claims, Plaintiff 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, Plaintiff shall immediately  
11 notify Defendants' counsel of the request for a loan  
12 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 Plaintiff's  
22 request, counsel for Defendants shall promptly  
23 notify Plaintiff to that effect.
- 24 (2) Arrange for a representative of each Defendant 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 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: 6/4/2012

  
\_\_\_\_\_  
Claudia Wilken  
United States District Judge

cc: ADR