

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

4 JO ANN KINGSTON,

No. C 13-4181-DMR

5 Plaintiff,

ORDER REFERRING
CASE TO ADR UNIT
FOR ASSESSMENT
TELEPHONE
CONFERENCE

6 v.

7 WELLS FARGO HOME MORTGAGE, et
8 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 Plaintiff 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 October 1, 2013.

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

- 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, Plaintiff 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: September 16, 2013



United States Magistrate Judge