

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

3  
4 DARRICK D. STERLING, SPIRIT AND  
5 SELF MINISTRIES, SYLVESTER  
6 BRADFORD, and YVONNE TIJERINO,  
7                                    Plaintiffs,

8                                    v.

9 DEUTSCH BANK AMERICAS, MARILYN Y.  
10 RODRIQUEZ, SPRE, INC., GMAC  
11 MORTGAGE, CYPREXX CORPORATION,  
12 WOLF FIRM, KAYO MANSON-TOMKIN,  
13 ALAMEDA COUNTY SHERIFF, and  
14 ALAMEDA COUNTY COUNSEL,

15                                    Defendants.  
16 \_\_\_\_\_/

No. C 14-00827 CW  
ORDER REFERRING  
CASE TO ADR UNIT  
FOR ASSESSMENT  
TELEPHONE  
CONFERENCE

17                                    Pursuant to Civil Local Rule 16-8 and ADR Local Rule 2-3, the  
18 Court refers this foreclosure-related action to the Alternative  
19 Dispute Resolution (ADR) Unit for a telephone conference to assess  
20 this case's suitability for mediation or a settlement conference.  
21 Plaintiffs and Defendants who have been served, or their counsel,  
22 shall participate in a telephone conference, to be scheduled by  
23 the ADR Unit as soon as possible but no later than March 12, 2014.

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

- 26                                    (1) Identification and description of claims and  
27                                    alleged defects in loan documents.
- 28                                    (2) Prospects for loan modification.
- (3) Prospects for settlement.

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

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

- 3 (1) Review relevant loan documents and investigate  
4 their claims to determine whether they have merit.
- 5 (2) If Plaintiffs are seeking a loan modification to  
6 resolve all or some of their claims, they 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 the telephone conference will be held. After the telephone  
conference has been held, the ADR Unit will advise the Court of  
its recommendation for further ADR proceedings.

IT IS SO ORDERED.

Dated: 2/28/2014

  
CLAUDIA WILKEN  
United States District Judge