

1
2
3
4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA
6

7 BRENDA WALLS,
8 Plaintiff,

9 v.

10 WELLS FARGO BANK, N.A.,
11 Defendant.

Case No. [17-cv-02199-HSG](#)

**ORDER REFERRING CASE TO ADR
UNIT FOR ASSESSMENT TELEPHONE
CONFERENCE**

12
13 Pursuant to Civil Local Rule 16-8 and ADR Local Rule 2-3, the Court refers this
14 foreclosure-related action to the Alternative Dispute Resolution (“ADR”) Unit for a telephone
15 conference to assess this case’s suitability for mediation or a settlement conference. Plaintiff’s
16 counsel and Defendant’s counsel shall both participate in a telephone conference, to be scheduled
17 by the ADR Unit as soon as possible but no later than May 16, 2017.

18 Plaintiff’s counsel and Defendant’s counsel shall both be prepared to discuss the following
19 subjects:

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

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

25 In preparation for the telephone conference, Plaintiff’s counsel shall do the following:

- 26 1. Review relevant loan documents and investigate the claims to determine whether
27 they have merit.
28

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

2. If Plaintiff is seeking a loan modification to resolve all or some of the claims, prepare a current, accurate financial statement and gather all of the information and documents customarily needed to support a loan modification request. Further, Plaintiff's counsel shall immediately notify Defendant's counsel of the request for a loan modification.
3. Provide Defendant's counsel with information necessary to evaluate the prospects for loan modification, in the form of a financial statement, worksheet, or application customarily used by financial institutions.


In preparation for the telephone conference, Defendant's counsel shall do the following.

1. If Defendant is unable or unwilling to do a loan modification after receiving notice of Plaintiff's request, Defendant's counsel shall promptly notify Plaintiff's counsel to that effect.
2. Arrange for a representative of Defendant with full settlement authority to participate in the telephone conference.

The ADR Unit will notify the parties of the date and time 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: 5/2/2017


HAYWOOD S. GILLIAM, JR.
United States District Judge