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 U.S. Department of Housing and Urban Development

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 OAKLAND DIVISION

| | | | |
|----|----------------------------------|---|---|
| 13 | PEDRO GARCIA, SPECIAL ADMINSTER |) | Case No.: C17-04441 KAW |
| 14 | OF THE ESTATE OF ESTHER ALVIDREZ |) | |
| 15 | GARCIA, |) | STIPULATION CONTINUING DEADLINE TO |
| 16 | Plaintiff, |) | COMPLETE MEDIATION; [PROPOSED |
| 17 | v. |) | ORDER] AS MODIFIED |
| 18 | U.S. DEPARTMNET OF HOUSING & |) | |
| 19 | URBAN DEVELOPMENT; SECRETARY OF |) | |
| 20 | HOUSING AND URBAN DEVELOPMENT |) | |
| 21 | OF WASHING D.C.; NOVAD |) | |
| 22 | MANAGEMENT CONSULTING, LLC, |) | |
| 23 | CIMARRON SERVICVE CORP OF |) | |
| 24 | NEVADA; AND DOES 1 through 50, |) | |
| 25 | inclusive. |) | |
| 26 | Defendants. |) | |

28 STIPULATION; [PROPOSED] ORDER
 C17-04441 KAW

1 Pursuant to Civil L.R. 7-12, the parties, through their counsel, hereby stipulate as follows:

2 1. In this case, Plaintiff alleges that there was an improper foreclosure on his home.
3 Plaintiff's mother previously owned the home and secured a Home Equity Conversion Mortgage for
4 Seniors on the property. The HECM program, generally, allows a senior to receive cash by transferring
5 equity in his or her home to a lender. The U.S. Department of Housing and Urban Development
6 insured the loan. HUD claims that the loan became due upon Plaintiff's mother's passing and that
7 HUD now owns the home. Plaintiff claims that there were errors in the process and the foreclosure
8 should be set aside.

9 2. On January 12, 2018, the Court referred the case to mediation. ECF No. 23. The
10 deadline to complete mediation is May 11, 2018. *Id.*

11 3. On February 22, 2018, the Court appointed Jay Folberg as the mediator. ECF No. 26.

12 4. On March 22, 2018, the parties held a pre-mediation call with Mr. Folberg. The parties
13 have been working to position the case for a potential settlement. The parties discussed the case and
14 their efforts with Mr. Folberg.

15 5. The parties' efforts are ongoing. The parties have taken several important steps towards
16 reaching a potential resolution. Some important pieces, though, have not yet fallen into place despite
17 the parties' diligent efforts.

18 6. The parties have scheduled a mediation session with Mr. Folberg for June 29, 2018. This
19 date allows time for the parties to exhaust their efforts to complete certain legwork. Also, this date
20 works best for Mr. Folberg.

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2 7. Given all this, the parties agree to continue the deadline to complete mediation to July 10,
3 2018.

4
5 DATED: May 10, 2018

Respectfully submitted,

6 ALEX G. TSE
Acting United States Attorney

7 /s/ David Pereda
8 DAVID PEREDA
Assistant United States Attorney
9 Attorney for Defendant

10
11 LAW OFFICES OF RICHARD SAX

12 /s/ * Richard Sax
13 RICHARD SAX
Attorneys for Plaintiff

14
15 ***CERTIFICATION**

16 Pursuant to Civil L.R. 5-1(i)(3), I, David Pereda, hereby attest that Mr. Sax concurred in the
17 filing of this document.

18
19
20 **~~PROPOSED~~ ORDER**

21 The deadline to complete mediation in the above-captioned action is hereby continued from May
22 11, 2018, to July 10, 2018. The June 12, 2018, Case Management Conference is continued to August
23 14, 2018. The joint case management conference statement is due by August 7, 2018.

24
25 IT IS SO ORDERED.

26 Dated: 5/11/18

27 Kandis Westmore
KANDIS A. WESTMORE
United States Magistrate Judge

28 STIPULATION; ~~PROPOSED~~ ORDER
C17-04441 KAW