

1 *E-Filed: October 1, 2014*

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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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11 ARMANDO AGUIRRE,

No. C14-04079 HRL

12 Plaintiff,

ORDER REFERRING CASE TO
ADR UNIT FOR ASSESSMENT
TELEPHONE CONFERENCE

13 v.

14 NATIONSTAR MORTGAGE, LLC, et al.,

15 Defendants.
16 _____/

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

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26 Plaintiff and Defendants' counsel shall be prepared to discuss
27 the following subjects:
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- 1 (1) Identification and description of claims and
alleged defects in loan documents.
- 2 (2) Prospects for loan modification.
- 3 (3) Prospects for settlement.

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

6 In preparation for the telephone conference, Plaintiff shall
7 do the following:

- 8 (1) Review relevant loan documents and investigate the
9 claims to determine whether they have merit.
- 10 (2) If Plaintiff is seeking a loan modification to
11 resolve all or some of the claims, Plaintiff shall
12 prepare a current, accurate financial statement and
13 gather all of the information and documents
14 customarily needed to support a loan modification
request. Further, Plaintiff shall immediately
15 notify Defendants' counsel of the request for a loan
16 modification.
- 17 (3) Provide counsel for Defendants with information
18 necessary to evaluate the prospects for loan
19 modification, in the form of a financial statement,
20 worksheet or application customarily used by
21 financial institutions.

22 In preparation for the telephone conference, counsel for
23 Defendants shall do the following.

- 24 (1) If Defendants are unable or unwilling to do a loan
25 modification after receiving notice of Plaintiff's
26 request, counsel for Defendants shall promptly
27 notify Plaintiff to that effect.
- 28 (2) Arrange for a representative of each Defendant with
full settlement authority to participate in the
telephone conference.

The ADR Unit will notify the parties of the date and time
the telephone conference will be held. After the telephone

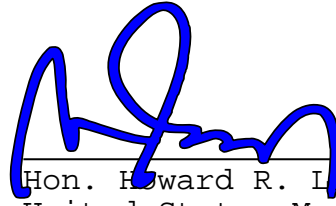
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conference, the ADR Unit will advise the Court of its
recommendation for further ADR proceedings.

IT IS SO ORDERED.

Dated: October 1, 2014



Hon. Howard R. Lloyd
United States Magistrate Judge