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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

VICTOR J. LOBUE, et al.,
Plaintiffs,
v.
COUNTRYWIDE HOME LOAN, INC., et
al.,
Defendants.

Case No. [14-cv-04878-BLF](#)

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

At the Court’s March 19, 2015 Case Management Conference in the above-captioned action, the parties expressed their willingness to engage in a telephone conference with the Court’s Alternative Dispute Resolution (ADR) Unit in order to assess this case’s suitability for mediation or a settlement conference. Pursuant to Civil Local Rule 16-8 and ADR Local Rule 2-3, the Court **HEREBY REFERS** this foreclosure-related action to ADR. Plaintiffs’ and Defendants’ counsel shall participate in a telephone conference, to be scheduled by the ADR Unit as soon as possible but no later than April 10, 2015. The parties need not submit written materials to the ADR Unit for the telephone conference.

A. Plaintiffs’ and Defendants’ counsel shall be prepared to discuss the following subjects:

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

B. In preparation for the telephone conference, counsel for Plaintiffs shall do the following:

- (1) Review relevant loan documents and investigate the claims to determine whether they

1 have merit.

2 (2) If Plaintiffs are seeking a loan modification to resolve all or some of the claims,
3 Plaintiffs shall prepare a current, accurate financial statement and gather all of the information and
4 documents customarily needed to support a loan modification request. Further, Plaintiffs shall
5 immediately notify Defendants' counsel of the request for a loan modification.

6 (3) Provide counsel for Defendants with information necessary to evaluate the prospects
7 for loan modification, in the form of a financial statement, worksheet or application customarily
8 used by financial institutions.

9 C. In preparation for the telephone conference, counsel for Defendants shall do the
10 following.

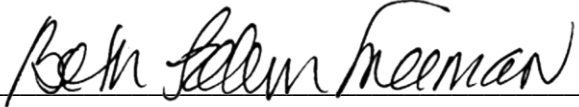
11 (1) If Defendants are unable or unwilling to do a loan modification after receiving notice of
12 Plaintiffs' request, counsel for Defendants shall promptly notify Plaintiffs to that effect.

13 (2) Arrange for a representative of each Defendant with full settlement authority to
14 participate in the telephone conference.

15 The ADR Unit will notify the parties of the date and time the telephone conference will be
16 held. After the telephone conference, the ADR Unit will advise the Court of its recommendation
17 for further ADR proceedings.

18 **IT IS SO ORDERED.**

19 Dated: March 20, 2015

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21 BETH LABSON FREEMAN
22 United States District Judge
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