

United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JENNIFER CASTILLO, JASON  
CASTILLO,

Plaintiffs,

v.

NATIONSTAR MORTGAGE LLC,  
WELLS FARGO BANK N.A.,

Defendants.

Case No. [15-cv-01743 NC](#)

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

Pursuant to Civil Local Rule 16-8 and ADR Local Rule 2-3, the Court refers this foreclosure-related action to the Alternative Dispute Resolution (ADR) Unit for a telephone conference to assess this case’s suitability for mediation or a settlement conference. 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 May 29, 2015.

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.

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

Case No.: [15-cv-01743 NC](#)

1 conference.

2 In preparation for the telephone conference, plaintiffs must do the following:

3 (1) Review relevant loan documents and investigate the claims to determine  
4 whether they have merit.

5 (2) If plaintiffs are seeking a loan modification to resolve all or some of the  
6 claims, plaintiffs must prepare a current, accurate financial statement and gather all  
7 of the information and documents customarily needed to support a loan  
8 modification request. Further, plaintiffs must immediately notify defendants'  
9 counsel of the request for a loan modification.

10 (3) Provide counsel for defendants with information necessary to evaluate the  
11 prospects for loan modification, in the form of a financial statement, worksheet or  
12 application customarily used by financial institutions.

13 In preparation for the telephone conference, counsel for defendants must do the  
14 following:

15 (1) If defendants are unable or unwilling to do a loan modification after  
16 receiving notice of plaintiffs' request, counsel for defendants must promptly notify  
17 plaintiffs to that effect.

18 (2) Arrange for a representative of each defendant with full settlement authority  
19 to participate in the telephone conference.

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

23 **IT IS SO ORDERED.**

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25 Dated: April 23, 2015

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NATHANAEL M. COUSINS  
United States Magistrate Judge