

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

*In re: RFC and ResCap Liquidating Trust
Litigation*

COURT MINUTES

BEFORE: Hon. Susan Richard Nelson,
United States District Judge

Case No.:	13cv3451 (SRN/HB)
Date:	July 11, 2019
Court Reporter:	Carla Bebault
Courthouse:	St. Paul
Courtroom:	7B
Time in Court:	8:59 a.m. to 10:32 a.m.; 10:46 a.m. to 10:54 a.m.
Total Time:	1 Hour, 41 Minutes

APPEARANCES

For Plaintiffs: Isaac Nesser, Matthew Scheck, Donald Heeman, Jessica Nelson, and Randi Winter. *Listening via telephone: Geneva McDaniel*

For Defendants: Matthew Johnson, Jesse Smallwood, Elizabeth Kniffen, Mark Schroeder, Daniel J. Supalla, and Steven M. Pincus.

PROCEEDINGS

Case Management Conference Held.

1. Defendant Primary Residential Mortgage, Inc.'s ("PRMI's") Motion for Jury Trial [Doc. No. 5112] was submitted, argued, and taken under advisement.
2. Defendant PRMI's Motion to Compel Plaintiff to Produce Documents [Doc. No. 5156] was withdrawn and is DENIED AS MOOT. Plaintiff and PRMI shall meet and confer on the question of whether it is permissible to use first-wave expert reports and exhibits in the *ResCap v. PRMI* matter. They shall advise the Court on the status of their dispute by letter, no later than July 18, 2019.
3. Regarding the discovery dispute between Plaintiff and InterLinc Mortgage Services, LLC ("InterLinc"), concerning potentially lost ESI, the parties shall continue to meet and confer. They shall update the Court on the status of this dispute via letter, no later than Tuesday, July 30.
4. With respect to the dispute concerning Plaintiff's Rule 30(b)(6) topics served on Defendant InterLinc related to Hometown Mortgage Services, Inc., ("Hometown"), counsel for InterLinc shall interview InterLinc employees who formerly worked at Hometown to confirm the number of such employees, whether they worked with Residential Funding Corporation during their tenure at Hometown, and whether they

possess information relevant to Plaintiff's Rule 30(b)(6) topics concerning Hometown. The interviews shall be completed in advance of the next Case Management Conference, and the parties shall be prepared to advise the Court of their progress at that time.

5. The next Case Management Conference will be held on August 22, 2019, at 9:00 a.m.

6. In addition, the Court proposes the following dates for future Case Management Conferences and hearings:

- September 17, 2019 (Case Management Conference)

- October 22, 2019 (Case Management Conference, close of expert discovery in *ResCap v. PRMI*)

- December 2, 2019 (Case Management Conference and Summary Judgment/*Daubert* Hearing in *ResCap v. PRMI*)

- January 23, 2020 (First Pretrial Hearing in *ResCap v. PRMI*)

To the extent that any of the proposed dates pose conflicts, the parties shall propose alternate dates to the Court.

s/M. Conklin
Law Clerk