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WELLS FARGO BANK, N.A.; WELLS FARGO
7 HOME MORTGAGE; AMERICA'S
SERVICING COMPANY; and WACHOVIA
8 BANK, FSB f/k/a WORLD SAVINGS BANK,
FSB (Texas) and n/k/a WELLS FARGO BANK
9 SOUTH CENTRAL, N.A.

ORIGINAL FILED

AUG 23 2012

**LOS ANGELES
SUPERIOR COURT**

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **FOR THE COUNTY OF LOS ANGELES**
12 **CENTRAL CIVIL WEST COURTHOUSE**

13 **WELLS FARGO BANK MORTGAGE
14 CASES**

J.C.C.P. NO. 4711

[Assigned To Hon. John Shepard Wiley Jr.,
Dept. 311]

15 **Coordinated Actions:**

**AMENDED NOTICE OF [PROPOSED]
16 RULING**

17 **Mireles, et al. v. Wells Fargo Bank, N.A., et
al.**

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES
NO. BC467652

18 **Roberts, et al. v. Wells Fargo Bank, N.A., et
19 al.**

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SACRAMENTO
NO. 34-2011-00110146

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22 **TO THE COURT, THE PARTIES AND THEIR ATTORNEYS OF RECORD:**

23 PLEASE TAKE NOTICE that on August 9, 2012 the Honorable John Shepard Wiley Jr.,
24 Judge Presiding, in Department 311 of the Los Angeles County Superior Court, Central Civil West
25 Courthouse, conducted an initial status conference. Counsel for the Wells Fargo Defendants,¹
26 Defendant Cal-Western Reconveyance Corp., Plaintiffs in the *Mireles* action, and Plaintiffs Kenneth
27

28 ¹ The "Wells Fargo Defendants" include Wells Fargo Bank, N.A., Wells Fargo Home Mortgage,
America's Servicing Company, and Wachovia Bank, FSB, formerly known as World Savings Bank,
FSB (Texas) and now known as Wells Fargo Bank South Central, N.A.

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1 and Katja Base in the *Mireles* action were all present. Counsel for Plaintiffs in the *Roberts* action
2 did not attend.

3 The Court made the following rulings:

4 1. Service in the coordinated proceedings is to be effectuated using LexisNexis File &
5 Serve. The Wells Fargo Defendants are directed to set up LexisNexis File & Serve for use in the
6 coordinated proceedings, and provide the other parties with necessary information to access the
7 service. The parties will use LexisNexis File & Serve for service only, not filing.

8 2. Counsel for all parties are directed to file notices of appearance.

9 3. A status conference will be held on November 14, 2012 at 10:30 a.m. in
10 Department 311. Counsel for all parties are required to attend. Counsel are strongly encouraged to
11 attend in person.

12 4. The Court has notified the parties that all hearings and conferences are off the record
13 unless the parties arrange for a court reporter. While not required, counsel are encouraged to arrange
14 for a court reporter.

15 5. The coordinated proceedings are stayed until the November 14, 2012 status
16 conference except as to the items below. No time shall run against the five-year rule during the stay.

17 a. Plaintiffs in the *Mireles* and *Roberts* actions may file an amended complaint on or
18 before November 1, 2012. Thereafter, any further amendment may be filed only
19 with leave of Court upon a showing of good cause.

20 b. Pursuant to California Rules of Court, rule 3.544(a), the Wells Fargo Defendants
21 may file requests to coordinate add-on cases on or before November 1, 2012.
22 Plaintiffs may oppose any such request pursuant to California Rules of Court, rule
23 3.544(b).

24 c. The parties shall meet and confer and submit a joint status report on or before
25 November 8, 2012, using the form status report provided by the Court.

26 Additionally, the parties may address in the joint status report any other issues
27 they believe to be appropriate for the Court's consideration. The parties are to
28 meet and confer regarding Plaintiffs' anticipated discovery requests. Plaintiffs are

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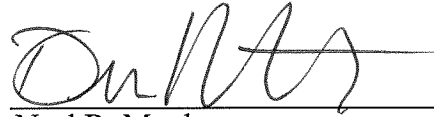
to tell Defendants what discovery they are requesting and why. The parties shall set forth their positions regarding any disputed discovery requests in the joint status report.

On August 14, 2012, at 1:30 p.m. the Court conducted an additional telephonic status conference. The Court encouraged the parties to discuss alternative dispute resolution, and the parties agreed to do so.

Respectfully submitted,

Dated: August 23, 2012

WINSTON & STRAWN LLP

By: 

Neal R. Marder
Drew A. Robertson

Attorneys for Defendants
WELLS FARGO BANK, N.A., WELLS
FARGO HOME MORTGAGE,
AMERICA'S SERVICING COMPANY,
and WACHOVIA BANK, FSB, formerly
known as WORLD SAVINGS BANK
(Texas) and now known as WELLS
FARGO BANK SOUTH CENTRAL,
N.A.,

Winston & Strawn LLP
333 S. Grand Avenue
Los Angeles, CA 90071-1543

1 **PROOF OF SERVICE BY FIRST-CLASS MAIL**

2 **Case No. J.C.C.P. No. 4711**

3 I am over the age of 18 and not a party to the within action. I am employed in the County of
4 Los Angeles, State of California, by Winston & Strawn LLP. My business address is 333 S. Grand
5 Avenue, Los Angeles, CA 90071-1543.

6 On August 23, 2012, in the County of Los Angeles, California, I served the foregoing
7 document entitled **AMENDED NOTICE OF [PROPOSED] RULING**, by placing a copy thereof
8 in an envelope addressed as follows:

9 **UFAN LEGAL GROUP, PC**
Attention: Kristin L. Crone
Attention: Terry Thomas
1490 Stone Point Dr., Suite 100
Roseville, California 95661

Counsel for Plaintiffs in the *Roberts*
Action

12 **BROOKSTONE LAW**
Attention: Vito Torchia Jr.
400 MacArthur Blvd., Suite 1110
Newport Beach, California 92660

Counsel for Plaintiffs in the *Mireles*
Action

14 **WRIGHT, FINLAY & ZAK, LLP**
Attention: Jonathan D. Fink
Attention: Yelena Cayton
4665 MacArthur Court, Suite 280
Newport Beach, CA 92660


Counsel for Defendant Cal-Western
Reconveyance Corp.

18 **DAVID G. EPSTEIN**
P.O. Box 4858
Laguna Beach, California 92652-4858

Counsel for Plaintiffs Katja Base and
Kenneth Base in the *Mireles* Action

20 On that date, I sealed the envelopes and placed the envelopes for collection and mailing,
21 following our ordinary business practices. I am readily familiar with the firm's business practice for
22 collection and processing of correspondence for mailing with the United States Postal Service. On
23 the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary
24 course of business with the United States Postal Service with postage fully prepaid.

25 I declare under penalty of perjury under the laws of the State of California that the foregoing
26 is true and correct. Executed on August 23, 2012.

27
28 

Lura La Cour

Winston & Strawn LLP
333 S. Grand Avenue
Los Angeles, CA 90071-1543

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10 Attention: Terry Thomas
1490 Stone Point Dr., Suite 100
11 Roseville, California 95661


12 **BROOKSTONE LAW** Counsel for Plaintiffs in the *Mireles*
Attention: Vito Torchia Jr. Action
13 400 MacArthur Blvd., Suite 1110
14 Newport Beach, California 92660

15 **WRIGHT, FINLAY & ZAK, LLP** Counsel for Defendant Cal-Western
Attention: Jonathan D. Fink Reconveyance Corp.
Attention: Yelena Cayton
16 4665 MacArthur Court, Suite 280
17 Newport Beach, CA 92660

18 **DAVID G. EPSTEIN** Counsel for Plaintiffs Katja Base and
P.O. Box 4858 Kenneth Base in the *Mireles* Action
19 Laguna Beach, California 92652-4858

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