

ENTERED

August 06, 2021

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

CYNTHIA STEWART JENKINS,	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. H:21-1168
	§	
PHH MORTGAGE CORPORATION d/b/a	§	
PHH MORTGAGE SERVICES and	§	
NEWREZ LLC,	§	
	§	
Defendants.	§	

MEDIATION ORDER

The Court has determined that this case is appropriate for referral to mediation under Local Rule 16.4 and refers the case to the following mediator:

Mr. Gary Berman
12770 Coit Road, Suite 800
Dallas, TX 75251
214-526-7500

Mediation is a mandatory but non-binding settlement conference in which the parties attempt to resolve their differences with the assistance of a third-party mediator.

Within five (5) business days after the date of this Order, all counsel must contact the mediator to arrange the details of mediation. If the parties and mediator cannot agree on a date, the mediator will select a date, and the parties shall appear as

directed by the mediator. Mediation shall occur no later than October 31, 2021. All proceedings in a mediation session are confidential and privileged from discovery. No subpoena, summons or discovery paper shall be served at or near the location of any mediation session upon any person entering, leaving or attending any mediation session.

Counsel and the parties shall endeavor in good faith to resolve the case through mediation. Each party who is a natural person must be present during the entire mediation. Each party that is not a natural person must be represented by a principal, partner, officer or official with authority to negotiate a settlement. If one or more insurance companies must be involved in a settlement of the case, a representative from each insurance company with authority to negotiate a settlement shall be present during the mediation.


The mediator and the parties will determine the fee for the mediation. The fee is to be divided and borne equally by the parties unless otherwise agreed or ordered.

All dates in the Rule 16 scheduling order, except for the dates scheduled for submission of a Joint Pretrial Order and for Docket Call, are temporarily suspended until the mediation is concluded. If mediation is unsuccessful, the Court may enter an amended scheduling order upon motion filed by either party within 20 days after the conclusion of the unsuccessful mediation.

Within ten (10) days after the mediation, the mediator will file with the Clerk the memorandum required by Local Rule 16.4.K.(2). No information about the mediation, other than that required by Local Rule 16.4.K.(1), may be given to the Court by anyone.

The Clerk will enter this Order and provide a correct copy to all counsel of record and to the above-named mediator.

SIGNED at Houston, Texas, on this 6TH day of August, 2021.


EWING WERLEIN, JR.
UNITED STATES DISTRICT JUDGE