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 7 Attorneys for Defendants
 Mortgage Electronic Registration Systems, Inc.;
 OneWest Bank, FSB; and Deutsche Bank National
 8 Trust Company

9
 10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

12 DARRELL MCDONALD; FLORA
 13 MCDONALD,

14 Plaintiffs,

15 vs.

16 RESIDENTIAL MORTGAGE
 CAPITAL; NDEX WEST, L.L.C.;
 17 MORTGAGE ELECTRONIC
 REGISTRATION SYSTEMS, INC.
 18 (MERS), a Delaware Corporation;
 FEDERAL DEPOSIT INSURANCE
 19 CORPORATION AS CONSERVATOR
 FOR INDYMAC FEDERAL BANK,
 20 F.S.B., a government agency;
 ONEWEST BANK; DEUTSCHE
 21 BANK NATIONAL TRUST
 COMPANY and DOES 1 THROUGH
 22 10,

23 Defendants.
 24

Case No. 09-CV-1365 MMC

**STIPULATION AND ~~Proposed~~
 ORDER TO STAY TRUSTEE'S SALE
 UNTIL DECEMBER 1, 2009**

25 Pro se plaintiffs ("Plaintiffs") and counsel for defendants Mortgage Electronic
 26 Registration Systems, Inc.; OneWest Bank, FSB; and Deutsche Bank National Trust
 27 Company ("Defendants") in the above action hereby stipulate, and respectfully
 28 request an Order from the Court, as follows:

1 WHEREAS the parties previously agreed in open court to stay the Trustee's
 2 Sale of the property at issue in this action until no early than September 11, 2009, as
 3 reflected in the Court's May 14, 2009 Order staying that sale.

4 WHEREAS Plaintiffs and defendant One West Bank, FSB, entered into a
 5 forbearance agreement effective through December 31, 2009, and since have also
 6 agreed to a loan modification that will result in a dismissal of this action against
 7 Defendants.

8 WHEREAS Plaintiffs and Defendants need additional time past
 9 September 11, 2009, to complete the documentation relating to this loan
 10 modification and settlement.

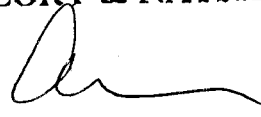
11 WHEREAS Defendants have agreed to extend the current stay on Trustee's
 12 Sale through December 31, 2009, so that documentation of the above loan
 13 modification and settlement can be completed without Plaintiffs having to worry
 14 about their house being sold through foreclosure.

15
 16 IT IS SO STIPULATED that:


17 The current stay on any Trustee's Sale of Plaintiffs' residence at issue in this
 18 action is continued through 3 December 31, 2009.

19
 20 Dated: September 9, 2009

ALLEN MATKINS LECK GAMBLE
 MALLORY & NATSIS LLP

21
 22 By: 
 23 Andrew E. Miller
 24 Attorneys for Defendants
 25 Mortgage Electronic Registration
 26 Systems, Inc.; One West Bank, FSB;
 27 and Deutsche Bank National Trust
 28 Company

Dated: September 9, 2009


 Darrell McDonald

1 Dated: September 9, 2009

Flora McDonald
Flora McDonald

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3 IT IS SO ORDERED that:

4 Defendants are stayed from conducting any Trustee's Sale, or other
5 foreclosure-related sale, of Plaintiffs' residence, located at 1269 Parkwood Drive,
6 Novato, CA 94947 (APN No. 152-142-19), through December 31, 2009.
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8 Dated: September 11, 2009

Margaret M. Cheney
United States District Judge

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