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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHRISTINE M BOWMAN,
Plaintiff,
v.
WELLS FARGO HOME MORTGAGE, et
al.,
Defendants.

Case No. [13-cv-05850-MEJ](#)

**ORDER RE: MOTION TO DISSOLVE
STAY**

Re: Dkt. No. 30

On June 3, 2014, Defendant Wells Fargo Bank N.A. filed a Motion to Dissolve Stay on Foreclosure, with a noticed hearing date of June 5, 2014. Dkt. No. 30. Plaintiff Christine M. Bowman has filed an Opposition. Dkt. No. 33. The Court recognizes Defendant's argument regarding the continued stay in this case. However, rather than focus on the parties' positions on this issue, the Court would like the parties to focus their efforts on the merits of the case. Accordingly, the Court DENIES Defendant's Motion WITHOUT PREJUDICE. To provide clarity regarding the foreclosure proceedings, the Court shall convert the June 5 hearing into a hearing regarding the issuance of a preliminary injunction. The parties shall come prepared to meaningfully discuss Plaintiff's burden under *Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008), to show (1) that she is likely to succeed on the merits; (2) that she is likely to suffer irreparable harm in the absence of preliminary relief; (3) that the balance of equities tips in her favor; and (4) that an injunction is in the public interest."

The parties are informed that the Court shall not consider any motion for sanctions or contempt related to this issue at this time.

IT IS SO ORDERED.

Dated: June 4, 2014



MARIA-ELENA JAMES
United States Magistrate Judge