

1 Matthew D. Mellen (Bar No. 233350)
 Jessica Galletta (Bar No. 281179)
 2 MELLEN LAW FIRM
 3 One Embarcadero Center, Fifth Floor
 San Francisco, CA 94111
 4 Telephone: (415) 315-1653
 Facsimile: (415) 276-1902

5 Attorneys for Plaintiff
 6 ELIZABETH GONZALES

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8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

10 ELIZABETH GONZALES, an individual,
 11 Plaintiff,
 12 v.
 13 CITIMORTGAGE, INC., a business entity; and
 DOES 1 through 50, inclusive,
 14 Defendants.
 15

Case No.: 3:14-cv-04059 EMC
 AMENDED STIPULATION REGARDING
 RELEASE OF FUNDS HELD BY COURT;
 [~~PROPOSED~~] ORDER

16 WHEREAS Plaintiff initiated this action on September 5, 2014 (Dckt. 1);
 17 WHEREAS on September 11, 2014, Plaintiff filed an Ex Parte Application for Temporary
 18 Restraining Order, which was granted on September 12, 2014 (Dckt. 6-7; 15);
 19 WHEREAS on October 10, 2014, the Court granted Plaintiffs’ request for a Preliminary
 20 Injunction, enjoining the foreclosure sale of Plaintiff’s property until further order by the Court.
 21 (Dckt. 30).
 22 WHEREAS Pursuant to the Order, Plaintiff was required to submit \$2,000 per month to the
 23 Court’s registry as a condition of maintaining the Injunction Order. (Dckt. 30 at pp. 3, lns. 7-10).
 24 WHEREAS on August 4, 2015, this action was dismissed with prejudice pursuant to a
 25 settlement agreement entered into between the parties. (Dckt. 58-59). The court’s prior preliminary
 26 injunction order was thus mooted and of no further legal effect as a result of the dismissal.
 27 WHEREAS \$10,000.00 in funds was deposited by Plaintiff into the Court’s registry, per the
 28

1 Court's Order, which still remains in the Court's registry.

2 NOW THEREFORE the Parties hereby stipulate and agree to release to Plaintiff the funds
3 held in the Court's registry pursuant to Northern District Case Number 3:14-cv-04059 EMC. The
4 Parties stipulate to release of the funds and interest earned thereon to Plaintiff's counsel, made
5 payable to Client Trust Account of Mellen Law Firm.

6 SO STIPULATED

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8 DATED: October 19, 2016

WOLFE & WYMAN LLP

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10 By: /s/ Andrew Bao

ANDREW A. BAO

Attorneys for Defendant

CITIMORTGAGE, INC.

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12
13 DATED: October 19, 2016

MELLEN LAW FIRM

14
15 By: /s/ Jessica Galletta

MATTHEW MELLEN

JESSICA GALLETTA

Attorneys for Plaintiff

ELIZABETH GONZALES

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ORDER

The Court, having reviewed the Parties' Stipulation and finding good cause to issue an Order thereon, hereby grants the Parties' stipulation to release to Plaintiff the funds and interest earned thereon, held in the Court's registry in Northern District Case Number 3:14-cv-04059 EMC. The funds and interest earned thereon shall be made payable to the Client Trust Account of Mellen Law Firm.

IT IS SO ORDERED

Dated: 10/20/16 _____

