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6 Attorneys for Defendant
 JEAN L. HOUSTON

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10 SQUARE 1 BANK,
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 12 Plaintiff,
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 14 v.
 15 HENRY LO, AN INDIVIDUAL; AND
 JEAN L. HOUSTON, AN INDIVIDUAL,
 16 Defendants.

Case No. 3:15-cv-01059-WHO

**STIPULATION TO SHORTEN TIME
 FOR HEARING OF MOTION TO
 RELEASE LIS PENDENS AND ALLOW
 NET PROCEEDS FROM SALE OF
 PROPERTY TO BE PAID INTO
 DISTRICT COURT; ~~PROPOSED~~
 ORDER**

Judge: Hon. William H. Orrick
 Trial Date: Not yet set

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 20 TO THE COURT AND TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

21 Plaintiff Square 1 Bank (“Plaintiff”) and Defendant Jean Houston (“Houston”),
 22 through their respective attorneys, stipulate and agree as follows:

23 **RECITALS**

24 1. Plaintiff filed this action on March 6, 2015 and thereafter recorded a lis
 25 pendens against the residential real property located at 55 San Fernando Way, San
 26 Francisco, California (the “Property”).

27 2. Houston claims she is the owner of the Property. At the time this action
 28 was filed and the lis pendens was recorded, Houston had entered into contract to sell the

1 Property to M&M Double Happiness Revocable Trust (“Buyer”). Houston claims that
2 the lis pendens recorded against the Property is preventing the close of escrow on
3 Houston’s sale of the Property to Buyer.

4 3. Houston previously stipulated with the United States and Henry Lo, and on
5 March 5, 2015 this Court ordered, in *United States of America v. Lo*, Case No. CR 14-
6 0442-WHO, that the net proceeds from the sale of the Property shall be paid over and
7 deposited into the Court’s Registry, pending the resolution of the rights to the net
8 proceeds. Therefore, it is Houston’s position that the lis pendens recorded against the
9 Property is unnecessary to protect Plaintiff’s rights and is unreasonably interfering with
10 Houston’s sale of the Property. Houston intends to bring a Motion to Set Aside Lis
11 Pendens and Allow Net Proceeds from Sale of Property to be Paid into District Court (the
12 “Motion”). Plaintiff disputes Houston’s contentions and her claim of entitlement to such
13 relief.

14 4. Houston states that: (a) the Buyer’s lender, Goldman Sachs Bank, USA
15 (“Lender”) has only agreed to an extension of the close of escrow on the sale of the
16 Property to Friday, April 3, 2015; (b) the Lender has previously indicated that it will pull
17 out of this transaction if the lis pendens issue is not resolved immediately; and (c) the
18 Lender may be more likely to agree to a further extension if it is notified that Houston’s
19 Motion has been set for hearing within one week.

20 STIPULATION

21 BASED ON THE FOREGOING, THE PARTIES HEREBY STIPULATE, agree
22 and respectfully request, by and through their respective attorneys of record, that the
23 Court set a hearing on shortened time for Houston’s Motion to Set Aside Lis Pendens and
24 Allow Net Proceeds from Sale of Property to be Paid into District Court (the “Motion”).
25 The parties request that the Motion be set for hearing on April 9, 2015 at 1:30 p.m.
26 (concurrently with the hearing in *United States of America v. Lo*, Case No. CR 14-0442-
27 WHO), without prejudice to any party requesting at the hearing that the matter be
28 continued. The parties further request that the deadline for the filing of Houston’s

1 moving papers be April 3, 2015 at 5:00 p.m. and the deadline for the filing of Plaintiff's
2 opposition papers be April 8, 2015 at 12:00 noon.

3 THE PARTIES FURTHER STIPULATE, agree and respectfully request that if the
4 Court is unable to set the Motion for hearing on the date requested, it schedule the
5 Motion for the earliest possible hearing date. In that event, the parties request that the
6 Court set an appropriate briefing schedule. *hereafter. JMT*

7 IT IS SO STIPULATED.

8 Dated: April 2, 2015

LEVY, SMALL & LALLAS

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By: 
Mark D. Hurwitz, Esq.
Attorneys for Plaintiff Square 1 Bank

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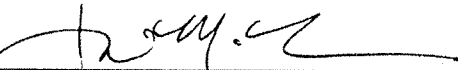
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12 Dated: April 2, 2015

MORRIS POLICH & PURDY LLP

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By: 
Jessica M. Takano, Esq.
Attorneys for Defendant
JEAN L. HOUSTON

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PROPOSED ORDER

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GOOD CAUSE APPEARING THEREFOR, and the parties having stipulated
thereto, IT IS HEREBY ORDERED as follows:

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Houston's Motion to Set Aside Lis Pendens and Allow Net Proceeds from Sale of
Property to be Paid into District Court (the "Motion") is set for hearing on shortened time
on April 9, 2015 at 1:30 p.m.. Houston's moving papers shall be filed by
April 3, 2015 at _____. Plaintiff's opposition papers shall be filed by
April 8, 2015 at 12:00 p.m.

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Dated: April 6, 2015

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HONORABLE WILLIAM H. ORRICK
Judge of the District Court for the Northern
District of California