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7 Attorneys for Defendants  
 HSBC BANK USA, NATIONAL  
 8 ASSOCIATION AS TRUSTEE FOR  
 MORTGAGEIT SECURITIES CORP.  
 9 MORTGAGE LOAN TRUST, SERIES 2007-1,  
 MORTGAGE PASS-THROUGH  
 10 CERTIFICATES (erroneously sued as "HSBC  
 Bank USA, National Association as Trustee for  
 11 Securitized Trust MortgageIT Securities Corp.  
 Mortgage Loan Trust, Series 2007-1); WELLS  
 12 FARGO BANK, N.A.

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION  
 15

16 NANCY TAMONDONG,  
 17  
 Plaintiff,  
 18  
 vs.  
 19  
 MORTGAGEIT, INC.; HSBC BANK USA,  
 20 NATIONAL ASSOCIATION AS TRUSTEE  
 FOR SECURITIZED TRUST  
 21 MORTGAGEIT SECURITIES CORP.  
 MORTGAGE LOAN TRUST, SERIES 2007-  
 22 1; WELLS FARGO BANK, N.A.; AND  
 DOES 1 THROUGH 10, inclusive,  
 23  
 Defendants.  
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Case No. 3:16-cv-03722-RS  
 ORDER  
**STIPULATION TO MODIFY  
 PRELIMINARY INJUNCTION  
 BRIEFING SCHEDULE**  
 Judge: Hon. RICHARD SEEBORG  
 Action Filed: July 1, 2016

1 **TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE THAT** plaintiff NANCY TAMONDONG (“Plaintiff”) and  
3 defendants WELLS FARGO BANK, N.A. (“Wells Fargo”) and HSBC BANK USA, NATIONAL  
4 ASSOCIATION AS TRUSTEE FOR MORTGAGEIT SECURITIES CORP. MORTGAGE  
5 LOAN TRUST, SERIES 2007-1, MORTGAGE PASS-THROUGH CERTIFICATES (“HSBC”)  
6 (collectively, “Defendants”), by and through counsel, hereby stipulate and agree to modifying the  
7 briefing schedule set by the Court in its Temporary Restraining Order and Order to Show Cause.  
8 Defendants’ new deadline to file any opposition to issuance of preliminary injunction in response  
9 to the Order to Show Cause issued on July 5, 2016 (Document 10) shall be August 19, 2016.  
10 Within 3 days of filing any such opposition, Plaintiff may file a reply.

11 **RECITALS**

12 WHEREAS, on July 1, 2016, Plaintiff filed an ex parte application in this matter for  
13 temporary restraining order and/or preliminary injunction;

14 WHEREAS, on July 5, 2016, the Court issued a Temporary Restraining Order and  
15 pursuant to the Order To Show Cause set the following briefing schedule:

- 16 • Within 7 days of receipt of this order, defendants shall file any opposition to  
17 issuance of a preliminary injunction that would enjoin the trustee’s sale during  
18 the pendency of this action;
- 19 • Within 3 days of filing of any opposition, plaintiff may file a reply;

20 WHEREAS, the Court’s July 5, 2016 order also provided that “[t]he parties may meet and  
21 confer to negotiate a less compressed briefing schedule, provided defendants agree to continue the  
22 foreclosure sale to a date at least two weeks beyond the time the reply brief is due;

23 WHEREAS, Plaintiff and Defendants (collectively, the “Parties”) have met and conferred  
24 and agree to modify the briefing schedule set by the Court;

25 WHEREAS, Defendants agree to continue the foreclosure sale date to no sooner than  
26 September 5, 2016;

27 WHEREAS, the Parties believe that a modified briefing schedule would be in the Parties’  
28 best interests to permit the Parties time to evaluate the matter and potential for amicable

1 resolution;

2 WHEREAS, in light of the foregoing, the Parties agree to the following modified briefing  
3 schedule:

- 4 • Defendants shall file any opposition to issuance of a preliminary injunction that  
5 would enjoin the trustee's sale during the pendency of this action by August 19,  
6 2016;
- 7 • Within 3 days of filing of any opposition, Plaintiff may file a reply;

8 WHEREAS, this stipulation and proposed Order is being sought in good faith, and all  
9 parties are aware of this request for a continuance and agree that the relief sought is in the best  
10 interests of both Parties;

11 **STIPULATION**

12 **IT IS HEREBY STIPULATED**, subject to the Court's approval, by and between Plaintiff  
13 and Wells Fargo, as follows:

- 14 1. That Defendants' deadline to file any opposition to issuance of preliminary  
15 injunction that would enjoin the trustee's sale during the pendency of this action shall be  
16 continued from July 12, 2016 to August 19, 2016;
- 17 2. That within 3 days of filing any opposition, Plaintiff may file a reply; and
- 18 3. The Temporary Restraining Order shall remain in effect until September 5, 2016,  
19 which is at least two weeks beyond the time Plaintiff's reply brief is due.

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21 **[SIGNATURES ON NEXT PAGE]**  
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**ORDER**

Pursuant to the stipulation of the parties and GOOD CAUSE APPEARING:

IT IS HEREBY ORDERED that Defendants' deadline to file any opposition to issuance of preliminary injunction that would enjoin the trustee's sale during the pendency of this action shall be August 19, 2016. Within 3 days of filing any opposition, Plaintiff may file a reply. The Temporary Restraining Order issued by the Court on July 15, 2016 shall stay in effect until September 5, 2016.

**IT IS SO ORDERED.**

DATED: 7/12/16

By:   
RICHARD SEEBORG  
United States District Judge