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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LINDA C. REED,
Plaintiff,
v.
WILMINGTON TRUST, N.A., et al.,
Defendants.

Case No. [16-cv-01933-JSW](#)

**ORDER HOLDING IN ABEYANCE
MOTION FOR A TEMPORARY
RESTRAINING ORDER AND SETTING
BRIEFING SCHEDULE ON MOTION
TO DISMISS**

Re: Docket Nos. 6, 11

On May 4, 2016, the parties appeared before this Court for a hearing on Plaintiff's motion for a temporary restraining order. During the hearing, Defendants represented, through counsel, that they would be willing to postpone the Trustee's Sale scheduled for May 9, 2016 to June 6, 2016, so that the Court could consider their motion under the current procedural posture of the case. Plaintiff, through counsel, stated that she would be willing to allow the Court to hold her motion for a temporary restraining order in abeyance during that time.

At the hearing, the Court exhorted, but did not require, the parties to reach an agreement about an interim payment during this time. The Court reiterates that this Order is based on the parties representations that Defendants will be willing to postpone the Trustee's Sale and Plaintiff's representation that she is willing to hold the motion for a temporary restraining order in abeyance. This Order is not conditioned upon the parties reaching an agreement on an interim payment.

Accordingly, pursuant to the representations of counsel, the Court HOLDS IN ABEYANCE Plaintiff's motion for a temporary restraining order. The Court set a hearing on

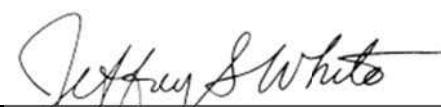
United States District Court
Northern District of California

1 Defendants' motion to dismiss for June 3, 2016, at 9:00 a.m.¹ Plaintiff's opposition to the motion
2 to dismiss is due on May 13, 2016, and Defendants' reply shall be due on May 20, 2016.

3 The Court shall consider both the motion to dismiss and the motion for a temporary
4 restraining order at the hearing on June 3, 2016. If the Court finds either motion, or both, suitable
5 for disposition without oral argument, it shall notify the parties in advance of the hearing date.

6 **IT IS SO ORDERED.**

7 Dated: May 4, 2016

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10 JEFFREY S. WHITE
11 United States District Judge
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28 ¹ Defendants will re-notice that hearing by close of business today. With Plaintiff's consent,
may incorporate by reference into their prior motion the argument regarding the substitution of
Western Progressive as trustee.