

\*\*E-Filed 4/27/2010\*\*

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

12  
13 LAURA GENS,

14 Plaintiff,

15 v.

16 WACHOVIA MORTGAGE CORPORATION,  
17 CAL-WESTERN RECONVEYANCE  
18 CORPORATION, WORLD SAVINGS BANK FSB,  
19 WACHOVIA MORTGAGE FSB, GOLDEN WEST  
20 SAVINGS ASSOCIATION SERVICE CO.,  
21 FINANCIAL TITLE COMPANY, and DOES 1-100,  
22 inclusive,

23 Defendants.

Case Number C 10-1073 JF (HRL)

**ORDER DENYING WACHOVIA'S  
APPLICATION TO SUPPLEMENT  
ITS BRIEFING**

Re: Docket No. 37

24 Defendant Wachovia Mortgage, a division of Wells Fargo Bank, N.A., ("Wachovia")  
25 moves for leave to supplement its briefing in opposition to Plaintiff Laura Gens's motion for a  
26 preliminary injunction. It seeks to present additional argument with respect to two issues: (1)  
27 the value of the subject property; and (2) Plaintiff's alleged unclean hands. Wachovia claims that  
28 the Court's reference to the value of the property at the hearing on April 16, 2010 prompted it to  
examine public records to ascertain that value, and that its investigation led it to discover the  
basis of an unclean hands argument.

1 The Court raised the value of the property at the hearing for the sole purpose of  
2 encouraging the parties to participate in alternative dispute resolution. The parties agreed to  
3 participate in further settlement discussions with Magistrate Judge Lloyd on April 30. Wachovia  
4 does not articulate its unclean hands argument or otherwise show good cause to supplement its  
5 briefing. Accordingly, the instant application is DENIED.

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7 **IT IS SO ORDERED.**

8 DATED: 4/27/2010

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12 JEREMY FOGEL  
13 United States District Judge\_\_