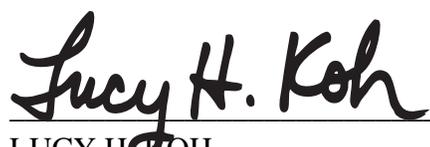


1 U.S. 169, 177-79 (1940)). JP Morgan seeks to expedite the hearing on JP Morgan’s Motion for a
2 Temporary Stay because JP Morgan’s Motion to Dismiss is currently scheduled to be heard on
3 January 31, 2013. *Id.*

4 Assuming the California Court of Appeal issues a published decision in the *Banks* matter,
5 that precedent might be binding on this Court with respect to the issue of whether California Code
6 of Civil Procedure Section 580b may be applied to short sale transactions. Nevertheless, the Court
7 is not willing to stay this action indefinitely while the California Court of Appeal resolves the
8 *Banks* matter. Accordingly, JP Morgan’s administrative motion to expedite the hearing on JP
9 Morgan’s Motion for a Temporary Stay is hereby DENIED. If JP Morgan still wishes to file its
10 Motion for a Temporary Stay, JP Morgan must obtain a hearing date from Courtroom Deputy
11 Martha Parker Brown.

12 **IT IS SO ORDERED.**

13 Dated: January 23, 2013



LUCY H. KOH
United States District Judge