

**UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF MASSACHUSETTS**

KAREN MICHELE SALA MICHAELS,

Plaintiff,

v.

WELLS FARGO HOME MORTGAGE,  
a division of WELLS FARGO BANK, N.A.,

Defendant

Civil Action No. 3:10-cv-11471-MAP

PLAINTIFF'S MOTION  
TO COMPEL PRODUCTION OF DOCUMENTS  
AND  
TO CONTINUE THE HEARING ON THE PLAINTIFF'S MOTION TO DISMISS

REQUEST FOR ORAL ARGUMENT

The plaintiff, Karen Michele Sala Michaels, pursuant to the Order of this Court, dated November 24, 2010, and Federal Rule of Civil Procedure 7(b), hereby request that this Court issue an order (1) compelling an accurate and complete production of documents by the defendant, Wells Fargo Home Mortgage, a division of Wells Fargo Bank, N.A. and (2) postponing the hearing on the plaintiff's motion to dismiss, presently scheduled to be argued on Friday, January 21, 2011, at 2:30 PM, to a later date that would allow counsel to comply with the advice of this Court to "work with vigor and resourcefulness to frame an arrangement that will, if at all possible, permit Plaintiff and her daughter to continue to live in her house."

In support of this motion the plaintiff submits a memorandum of law and the affidavit of her attorney, and she relies on the pleadings, affidavits, and exhibits in the record before this Court.

WHEREFORE, plaintiff respectfully requests that this Court enter an order (1) compelling an accurate and complete production of documents by the defendant, Wells Fargo Home Mortgage, a division of Wells Fargo Bank, N.A., and (2) postpone the hearing presently scheduled to be argued on Friday, January 21, 2011.

Respectfully submitted  
KAREN MICHELE SALA MICHAELS,  
Plaintiff,  
By her attorney,

/s/ Francis K. Morris  
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CERTIFICATE PURSUANT TO LOCAL RULE 7.1(A)(2)

I, Francis K. Morris, hereby certify that, in an effort to resolve or narrow the issue, particularly to have the defendant heed the advice of this Court to make an accurate and complete exchange of documents, on Monday, December 20, I called and spoke with Attorney Heather Bennett, and on Thursday, December 23, I called and spoke with Attorney Jeffrey Patterson, Attorney Heather Bennett, and Attorney Patrick Clendenen, and on Tuesday, December 28, I called and spoke with Attorney Jeffrey Patterson. However, the result of those efforts was that Wells Fargo Home Mortgage refuses to produce any documents to the plaintiff.

January 7, 2011

/s/ Francis K. Morris

CERTIFICATE OF SERVICE

I, Francis K. Morris, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and papers copies will be sent to those indicated as non-registered participants on this date.

January 7, 2011

/s/ Francis K. Morris