

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

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**CIVIL MINUTES - GENERAL**

Case No.	CV 11-1783 CAS (CWx)	Date	March 9, 2011
Title	THOMAS A. NADERSKI v. WELLS FARGO BANK, N.A.; ET AL.		

Present: The Honorable	CHRISTINA A. SNYDER		
CATHERINE JEANG	Not Present	N/A	
Deputy Clerk	Court Reporter / Recorder	Tape No.	
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:		
Not Present	Not Present		

**Proceedings: (In Chambers:) PLAINTIFF’S EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER (filed 03/07/11)**

The Court is in receipt of plaintiff’s Ex Parte Application for Temporary Restraining Order (“TRO”) filed March 7, 2011. It appears that plaintiff has failed to properly effectuate service on defendants. As a preliminary matter, there is no showing of personal service of the summons and complaint on defendants. Moreover, there is no showing of personal service of plaintiff’s TRO on defendants. Rather, plaintiff attempted to serve defendants by mail and fax.

Until defendants have been properly served and may appear in the action, the Court has no means to grant relief. Defendants must be served personally with the summons and complaint and the TRO.

In accordance with the foregoing, plaintiff’s Ex Parte Application for Temporary Restraining Order is DENIED without prejudice, subject to being renewed with the appropriate showing that proper service of process has been made upon defendants or that issuance of the TRO is proper without notice pursuant to Fed. R. Civ. P. 65(b). Service of the complaint and TRO must be in accordance with Fed. R. Civ. P. 4.

IT IS SO ORDERED.

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Initials of Preparer	CMJ		