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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

MATTHEW ARVIZU,
Plaintiff,

vs.

GMAC MORTGAGE, LLC FKA GMAC
MORTGAGE CORPORATION;
GREENPOINT MORTGAGE FUNDING,
INC.; MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.; ETS
SERVICES, LLC; EXECUTIVE TRUSTEE
SERVICES; CONNIE R. MELVIN d/b/a
ACTION LEGAL SUPPROT SERVICE;
MERRITT LAW, INC.; and Does 1 to 200,
inclusive,

Case No.: 1:10-cv-990-OWW-JLT

**ORDER DENYING PLAINTIFF'S
APPLICATION FOR TEMPORARY
RESTRAINING ORDER AND ORDER
TO SHOW CAUSE RE: INJUNCTION**

Date: Monday, August 2, 2010
Time: 4:00 PM
Dept: Courtroom 3, 7th floor
Judge: Hon. Oliver W. Wanger

Plaintiff Matthew Arvizu's ("Plaintiff's") *ex parte* Emergency Application for Temporary Restraining Order and Order to Show Cause Re Preliminary Injunction (Docket No. 18), filed on July 29, 2010 ("Application"), came on for hearing on August 2, 2010 in this Department before the Hon. Oliver W. Wanger.

Francisco Aldana of The Advocates' Law Firm, LLP appeared on behalf of Plaintiff. Alex Sears of Severson & Werson appeared on behalf of defendants GMAC Mortgage, LLC,

1 Mortgage Electronic Registration Systems, Inc, and Executive Trustee Services, LLC (incorrectly
2 sued as “ETS Services, LLC” and “Executive Trustee Services”). Chetna Vora of Archer Norris
3 appeared on behalf of defendant Greenpoint Mortgage Funding, Inc.

4 After considering the moving and opposition papers, as well as oral argument, and good
5 cause appearing, the Court ruled as follows:

6 IT IS HEREBY ORDERED that because Plaintiff has not adequately demonstrated a
7 likelihood of success on the merits, that Plaintiff’s Application for temporary restraining order is
8 DENIED.

9 The denial of Plaintiff’s Application for temporary restraining order is WITHOUT
10 PREJUDICE to Plaintiff bringing a motion for a preliminary injunction, seeking the same relief
11 as was sought in the Application, on a regular noticed motion schedule.

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13 DATED: __August 20, 2010__

/s/ OLIVER W. WANGER
Hon. Oliver W. Wanger
U.S. District Court Judge

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