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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER D. SCHNEIDER,
Plaintiff,

NO. CIV. S-11-2953 LKK/DAD PS

v.

O R D E R

BANK OF AMERICA N.A., BANK
OF AMERICA MORTGAGE, BANK
OF AMERICA HOME LOANS
SERVICING LP, BALBOA
INSURANCE CO., HOME RETENTION
GROUP, QUALITY LOAN SERVICE
CORP., CLIFF COLER, DOES 1-40,
Defendants.

_____ /

Plaintiff Christopher Schneider, pro se, was granted a Temporary Restraining Order ("TRO") to prevent Defendants Bank of America, N.A., et al., from foreclosing on Plaintiff's property located at 16291 Stone Jug Rd., Sutter Creek, CA 95688. Order, ECF No. 12 (Nov. 17, 2011). The TRO was set to expire on Thursday, December 1, 2011, at 5 PM. Id.

Plaintiff has requested that this court issue an Order to Show Cause to Defendants as to why a preliminary injunction should not

1 be issued against them. Pls' Appl., ECF No. 16 (Nov. 29, 2011).

2 The court hereby sets a hearing on Plaintiff's application for
3 a preliminary injunction on January 17, 2012, at 10:00 A.M.
4 Although the court, in its order granting a TRO, referred all
5 further pretrial proceedings to Magistrate Judge Dale A. Drozd,
6 pursuant to Local Rule 302(c)(3), Plaintiff's request for
7 injunctive relief must be heard by a District Court Judge. The
8 hearing for the preliminary injunction shall therefore be before
9 the District Court Judge in this matter.

10 Although Plaintiff has applied for an Order to Show Cause as
11 to why a preliminary injunction should not be issued against
12 Defendants, Plaintiff has not filed a motion for a preliminary
13 injunction with the requisite accompanying brief required by Local
14 Rule 231(d). Plaintiff shall therefore file a motion for
15 preliminary injunction in accordance with Local Rule 231(d) by
16 December 19, 2011. Defendants shall file an opposition to
17 Plaintiff's motion for a preliminary injunction, in accordance with
18 Local Rule 231(d), by January 3, 2012, or not at all. Plaintiff
19 shall file a reply to Defendants' opposition, in accordance with
20 Local Rule 231(d), on January 10, 2012.

21 The court finds that good cause exists to extend the TRO to
22 allow adequate time for briefing on the motion in this case. See
23 Fed. R. Civ. P. 65(b)(2). The Temporary Restraining Order shall
24 therefore remain in effect through the hearing on January 17, 2012.

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Accordingly, the court ORDERS as follows:


[1] A hearing on Plaintiff's motion for a preliminary injunction is SET for January 17, 2012 at 10:00 A.M.

[2] Plaintiff SHALL file a motion for preliminary injunction in accordance with Local Rule 231(d) by December 19, 2011. Defendants SHALL file an opposition to Plaintiff's motion for a preliminary injunction, in accordance with Local Rule 231(d), by January 3, 2012, or not at all. Plaintiff SHALL file a reply to Defendants' opposition, in accordance with Local Rule 231(d), on January 10, 2012.

[3] The Temporary Restraining Order shall remain in effect through the hearing on January 17, 2012.

IT IS SO ORDERED.

DATED: December 1, 2011.


LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT