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7 Attorneys for Plaintiffs
 8 THOMAS A. WEBER and
 9 BELINDA G. WEBER

10 **UNITED STATES DISTRICT COURT**
 11 **EASTERN DISTRICT OF CALIFORNIA**
 12 **SACRAMENTO DIVISION**

13 THOMAS A. WEBER and BELINDA G.) Case No.: 2:13-cv-00298-GEB-CKD
 14 WEBER,)
 15 Plaintiffs,) **STIPULATION TO KEEP TEMPORARY**
 16 v.) **RESTRAINING ORDER IN EFFECT**
 17 PNC BANK, N.A.; HSBC BANK, U.S.A.,) **PENDING PRELIMINARY INJUNCTION**
 18 N.A.; and DOES 1 to 100, inclusive,) **HEARING; [PROPOSED] ORDER**
 19 Defendants.)
 20) Removed: February 15, 2103
 21)

22
 23 **JOINT STIPULATION**

24 Plaintiffs THOMAS A. WEBER and BELINDA G. WEBER (collectively “Plaintiffs”)
 25 and Defendants PNC BANK, N.A. and HSBC BANK U.S.A., N.A. as Trustee for Luminent
 26 Mortgage Trust 2007-2 (“Defendants”), (collectively “Parties”) by and through their counsel of
 27 record, hereby stipulate as follows:

- 28 1. Plaintiffs filed their Complaint on January 14, 2013, in Placer County Superior Court,

1 Case No.: SCV0032361;

2 2. The underlying issue of this action is the potential foreclosure of the subject property
3 located at 8972 Bronson Drive, Granite Bay, California 95746 (the "Subject Property").

4 3. On January 16, 2013, Placer County Superior Court granted Plaintiffs' request for a
5 Temporary Restraining Order ("TRO") and set an Order to Show Cause Re: Preliminary
6 Injunction ("OSC") hearing for January 29, 2013. Prior to the OSC hearing, Defendants'
7 counsel and Plaintiffs' counsel entered into a stipulation to continue the OSC hearing. Pursuant
8 to the Stipulation, the OSC hearing was continued to February 28, 2013.

9 4. On February 15, 2013, Defendants filed a Notice of Removal of Action with the
10 United States District Court, Eastern District of California (Sacramento Division) and the above-
11 mentioned case was assigned Case No.: 2:13-cv-00298-GEB-CKD.

12 5. WHEREAS, the Parties by stipulation have agreed and request that the Court's
13 temporary restraining order entered on January 16, 2013, remain in effect until a regularly
14 noticed Motion for Preliminary Injunction hearing can be heard by the United States District
15 Court, Eastern District of California.

16 6. This stipulation will not result in prejudice to any party and its impact on judicial
17 proceedings is not expected to be significant.

18 7. Nothing in this stipulation shall constitute a waiver of any arguments or defenses that
19 Plaintiffs or Defendants may wish to assert in their pleadings, all of which are expressly
20 reserved.

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1 IT IS SO STIPULATED.

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3 Dated: February 22, 2013

RUEHMANN LAW FIRM, P.C.

4
5 /s/ Robin D. Shofner, Esq.
6 Robin D. Shofner, Esq.
7 Attorney for Plaintiffs
8 THOMAS A. WEBER and BELINDA G.
9 WEBER

10 Dated: February 22, 2013

WOLFE & WYMAN LLP

11 /s/ Colleen B. Kelley, Esq.
12 Brian H. Gunn, Esq.
13 Colleen B. Kelley, Esq.
14 Attorneys for Defendant
15 PNC BANK, N.A., and HSBC BANK,
16 U.S.A., N.A.; as Trustee for Luminent
17 Mortgage Trust 2007-2 (erroneously sued as
18 "HSBC BANK, U.S.A., N.A.")


19 **ORDER**

20 The Court having considered the foregoing stipulation, and good cause appearing,

21 **IT IS HEREBY ORDERED** that:

22 The Temporary Restraining Order shall remain in effect until the hearing on the
23 preliminary injunction occurs.

24 **Date: 2/22/2013**

25 
26 GARLAND E. BURRELL, JR.
27 Senior United States District Judge
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