

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FEDERAL DEPOSIT INSURANCE CORPORATION, in its capacity as Receiver for INDYMAC BANK,

No. C 09-03732 WHA

Plaintiff,

**ORDER RE APPLICATION FOR TEMPORARY RESTRAINING ORDER**

v.


JAMES BERT COKER; CAROL ZHANG; HARVEY HOCHAUSER; MARCIE HOCHAUSER,

Defendants.

The Court is in receipt of plaintiff's *ex parte* application for a temporary restraining order. The request for an order shortening time is granted. A hearing on the application will be held **THURSDAY, SEPTEMBER 3, 2009, AT 1:30 P.M.**, on the condition that plaintiff serves the summons, complaint, application and all supporting papers on defendants by **FRIDAY, AUGUST 21, 2009, AT NOON**. Any opposition to the application shall be due by **THURSDAY, AUGUST 27, 2009, AT NOON**. Any reply brief shall be due **MONDAY, AUGUST 31, 2009, AT NOON**. The application for a temporary restraining order is otherwise denied. The Court is interested to know why relief has not been sought from state court and what points and authorities demonstrate that in the Ninth Circuit, a federal district court has the authority to prohibit transfers as requested. The Court notes that the motion appears to be based on state law, namely the California Civil Code, rather than Rule 65.

**IT IS SO ORDERED.**

Dated: August 19, 2009.

  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE