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United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PAULETTE SCHAEFFER,

Plaintiff,

v.

WACHOVIA MORTGAGE
CORPORATION, et al.,

Defendants.

No. C 12-2031 RS

**ORDER RE BRIEFING ON
PLAINTIFF'S APPLICATION FOR
PRELIMINARY RELIEF**

Plaintiff Paulette Schaeffer seeks a temporary restraining order to enjoin a non-judicial foreclosure sale scheduled for May 29, 2012, and preliminary injunction that would preclude defendants from proceeding with the foreclosure pending trial in this action. Given the time constraints, defendants may elect to proceed in either of two ways:

(1) In the event defendants are willing to postpone the foreclosure sale voluntarily for approximately 30 days, the application for a TRO will be denied as moot, and the matter will be addressed in the context of plaintiff's application for a preliminary injunction. In that event, defendant's opposition to a preliminary injunction will be due on June 7, 2012, and any reply shall be filed no later than June 14, 2012. If the Court deems it necessary, a hearing on the preliminary injunction will be held on June 21, at 1:30 p.m.; otherwise the matter will be submitted without oral

1 argument. If defendants elect this option, no later than 5:00 p.m. today, May 24, 2012, they shall
2 file a statement that the foreclosure sale has been postponed.

3 (2) In the event defendants do not elect to postpone the foreclosure sale, they shall file any
4 opposition to the application for a TRO no later than midnight today, May 24, 2012. The matter
5 will then be taken under submission without further briefing or argument. In that event, any TRO
6 that issues enjoining the June 7th sale will also include a briefing schedule regarding plaintiff's
7 application for a preliminary injunction against proceeding with foreclosure prior to trial.

8
9 IT IS SO ORDERED.

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12 Dated: 5/24/12



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE