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

TRACEY HOBBS AND RODNEY HOBBS,
et al.,

No. C 12-4060 RS

Plaintiff,

v.

**ORDER RE BRIEFING ON
APPLICATION FOR TEMPORARY
RESTRAINING ORDER**

WELLS FARGO BANK N.A., et al.,

Defendants.

Plaintiffs seek to enjoin a foreclosure sale presently scheduled for Monday, November 19, 2012. No later than 2:00 p.m., on Friday, November 17, 2012, defendants shall file any opposition to the application for a temporary restraining order. Defendants may presume that the Court is familiar with the arguments presented on the merits of the claims in the pending motion to dismiss. Defendants' brief should include, however, a discussion of the claim under Civil Code § 2923.5 that addresses *Osorio v. Wells Fargo Bank*, 2012 WL 1909335 (N.D.Cal. 2012). By the same deadline, plaintiffs shall file a supplemental brief and/or declarations addressing the fact that they did not seek injunctive relief until three court days prior to the scheduled foreclosure, notwithstanding the fact that this action has been pending in this court since early August.

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In the alternative, the parties are strongly encouraged to attempt to stipulate to a continuance of the foreclosure sale for 30 days, to permit the propriety of further injunctive relief to be given more fulsome consideration.

IT IS SO ORDERED.

Dated: 11/15/12


RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE