

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

MARSHAL ROTHMAN,
Plaintiff,

v.

U.S. BANK NATIONAL ASSOCIATION &
OLD REPUBLIC DIVERSIFIED SERVICES,
INC. d/b/a OLD REPUBLIC DEFAULT
MANAGEMENT SERVICES,
Defendants.

No. C 13-3381 MMC

**ORDER CONTINUING HEARING ON
PLAINTIFF'S MOTION, CONSTRUED
AS MOTION FOR PRELIMINARY
INJUNCTION**

Before the Court is plaintiff's "Ex Parte Motion for Temporary Restraining Order and Order to Show Cause," filed August 28, 2013 and noticed for hearing on August 30, 2013, by which motion plaintiff seeks a temporary restraining order enjoining defendants from conducting a non-judicial foreclosure of his property. Plaintiff has not asserted defendants have noticed a sale of his property or otherwise shown that any claimed irreparable injury is imminent.

Accordingly, the Court finds plaintiff has failed to show the matter should be heard on two day's notice; rather, the hearing on plaintiff's motion, construed as a motion for a preliminary injunction, is hereby CONTINUED to October 4, 2013, and the briefing deadlines set forth in Civil Local Rule 7-3 shall apply thereto.¹

IT IS SO ORDERED.

Dated: August 29, 2013


MAXINE M. CHESNEY
United States District Judge

¹ Should circumstances change, plaintiff may file a motion to shorten time pursuant to Civil Local Rule 6-3.