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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

VICKY PERRY,  
Plaintiff,  
v.  
SELECT PORTFOLIO SERVICING, INC.,  
et al.,  
Defendants.

Case No. [15-cv-03629-RS](#)

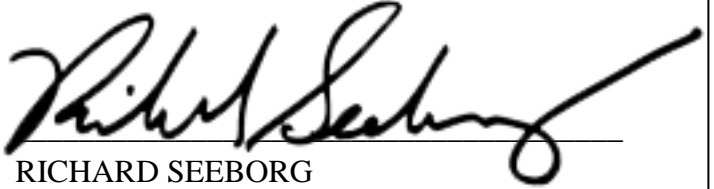
**ADDENDUM TO ORDER DENYING  
TRO**

After the order denying the application for a TRO was signed, plaintiff submitted a supplemental declaration asserting she had been compelled to wait until the last moment to bring her motion as a result of the general practice of lenders not to postpone foreclosure sales more than a day or two in advance. Assuming that is indeed the general practice of lenders, it would have been all the more appropriate for plaintiff to seek a preliminary injunction promptly upon filing this action. Such a motion could have been heard on an expedited basis, if necessary, without compressing the available time to the degree that waiting until the eve of the sale did. The fact that a lender *might* postpone a sale at the last minute would not deprive a plaintiff of the right to have a judicial determination of whether a preliminary injunction should issue where a sale is scheduled in the near future, and has not yet been voluntarily postponed. Plaintiff's supplemental declaration therefore provides no basis to reconsider the order denying her motion for a TRO.

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**IT IS SO ORDERED.**

Dated: October 9, 2015



RICHARD SEEBORG  
United States District Judge