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4 IN THE UNITED STATES DISTRICT COURT
5 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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7 FELIX OLIVER GUILLORY,
8 Plaintiff,
9 v.
10 HSBC BANK, USA, et al.,
11 Defendants.

Case No. [16-cv-03868-MMC](#)

**ORDER GRANTING PLAINTIFF'S
APPLICATION FOR TEMPORARY
RESTRAINING ORDER AND
REQUEST FOR ORDER TO SHOW
CAUSE RE: PRELIMINARY
INJUNCTION; DIRECTIONS TO
PLAINTIFF**

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13 Before the Court is plaintiff's "Application for a Temporary Restraining Order and
14 Request for Order to Show Cause Re: Preliminary Injunction," filed July 11, 2016.

15 The Court, having read and considered the application, finds plaintiff has shown
16 the existence of serious questions going to the merits of his claim that defendants have
17 not complied with the California Homeowner's Bill of Rights, that irreparable injury is likely
18 in the absence of temporary injunctive relief, and that the balance of hardships weighs in
19 his favor. Accordingly, plaintiff's application is hereby GRANTED, as follows:

20 1. Defendants are ordered to show cause, on July 21, 2016, at 10:00 a.m., in
21 Courtroom 7, why an order should not be entered granting plaintiff a preliminary
22 injunction enjoining defendants and their agents from foreclosing upon and selling the
23 property located at 4909 Stacy Street, Oakland, California, 94605.

24 2. Defendants shall file and serve any opposition no later than 5:00 p.m., Friday,
25 July 15, 2016, and plaintiff shall file and serve any reply no later than noon, Tuesday, July
26 19, 2016.

27 3. Pending the July 21, 2016 hearing, defendants and their agents are temporarily
28 restrained from foreclosing upon and selling the property located at 4909 Stacy Street,

1 Oakland, California, 94605.

2 4. The temporary restraining order is conditioned upon plaintiff's filing with the
3 Clerk of Court, no later than Tuesday, July 19, 2016, a bond or other security, or cash, in
4 the amount of \$1,000.

5 5. Plaintiff is directed to serve defendants' counsel with a copy of this order no
6 later than 10:00 a.m., Wednesday, July 13, 2016, and to file proof of such service, no
7 later than Thursday, July 14, 2016.

8 **IT IS SO ORDERED.**

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10 Dated: July 12, 2016

/s/ Jon S. Tigar

JON S. TIGAR for
MAXINE M. CHESNEY
United States District Judge

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