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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JONATHAN ANTHONY LEWIS TRUST,  
et al.,

Plaintiffs,

v.

FLAGSTAR BANK FSB, et al.,  
Defendants.

Case No. [17-cv-02239-MMC](#)

**ORDER DENYING PLAINTIFFS’  
EMERGENCY APPLICATION FOR  
TEMPORARY RESTRAINING ORDER  
AND PRELIMINARY INJUNCTION**

Re: Dkt. No. 21

Before the Court is plaintiffs Jonathan Anthony Lewis Trust and Karen Irene Lewis Trust’s “Emergency Application for a Temporary Restraining Order and Preliminary Injunction,” filed July 5, 2017, by which plaintiffs seek an order “restraining anyone or any entity, including specifically [d]efendant Crowd Fund Investment Group, LLC . . . from continuing with the prosecution of that certain action filed in Alameda County Superior Court – Case No. RG16838956.” (See Pls.’ Appl. at 1-2.) Having read and considered plaintiffs’ application, the Court rules as follows.

Preliminary injunctive relief is only available to a plaintiff who establishes: (1) “he is likely to succeed on the merits,” (2) “he is likely to suffer irreparable harm in the absence of preliminary relief,” (3) “the balance of equities tips in his favor,” and (4) “an injunction is in the public interest.” See Winter v. Nat. Res. Def. Council, 555 U.S. 7, 20 (2008). “At an irreducible minimum, . . . the moving party must demonstrate a fair chance of success on the merits, or questions serious enough to require litigation.” See Pimentel v. Dreyfus, 670 F.3d 1096, 1105-06 (9th Cir. 2012) (internal quotation, citation, and alteration omitted).

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In the instant case, plaintiffs have failed to make the requisite minimum showing. In particular, the Anti-Injunction Act “generally prohibits the federal courts from interfering with proceedings in state courts.” See Chick Kam Choo v. Exxon Corp., 486 U.S. 140, 145 (1988). As set forth in said statute, “[a] court of the United States may not grant an injunction to stay proceedings in a State court except as expressly authorized by Acts of Congress, or where necessary in aid of its jurisdiction, or to protect or effectuate its judgments.” See 28 U.S.C. § 2283. Here, plaintiffs do not explain how the relief they seek falls within one of the statutory exceptions listed in the Anti-Injunction Act, nor does any such exception otherwise appear applicable.

Accordingly, plaintiffs’ application is hereby DENIED.

**IT IS SO ORDERED.**

Dated: July 5, 2017

  
MAXINE M. CHESNEY  
United States District Judge