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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

ROBERT TUCK, PATRICIA BERKOWITZ,  
  
Plaintiffs,  
  
vs.  
  
WELLS FARGO HOME MORTGAGE; NDEX  
WEST, LLC; DOES 1 through 50, inclusive,  
  
Defendants.

Case No. C 12-4002 EDL  
  
[Assigned for all purposes to Magistrate Judge  
Donna M. Ryu]  
  
**[PROPOSED] ORDER CONTINUING  
ORDER TO SHOW CAUSE WHY  
PRELIMINARY INJUNCTION SHOULD  
NOT ISSUE AS MODIFIED**  
  
Date: TBD  
Time: TBD  
Dept.: 4, 3rd Floor

1 **ORDER**

2 The *ex parte* application of Wells Fargo Bank, N.A., successor by merger with  
3 Wells Fargo Bank Southwest, N.A., formerly known as Wachovia Mortgage, FSB, formerly  
4 known as World Savings Bank, FSB, erroneously sued as Wells Fargo Home Mortgage  
5 ("Wells Fargo") came on for hearing on \_\_\_\_\_ at \_\_\_\_\_ .m. in Courtroom 4 of the United  
6 States District Court, Northern District of California, located at 1301 Clay Street, Oakland,  
7 California 94612.

8 Having considered all of the papers and evidence submitted in connection with Defendant  
9 Wells Fargo Bank, N.A.'s *ex parte* application to continue hearing on the OSC re: why a  
10 preliminary injunction should not issue, and good cause showing, the Court rules as follows:

- 11 1) Wells Fargo's application to continue the hearing on the Order to Show Cause for a  
12 Preliminary Injunction originally set for hearing on September 7, 2012 is hereby GRANTED.
- 13 2) The Order to Show Cause hearing for a Preliminary Injunction is continued to  
14 **October 11, 2012, at 11:00 a.m.** in Courtroom 4.
- 15 3) Wells Fargo's Opposition shall be filed and served no later than fourteen (14) days  
16 prior to the date of the continued hearing.

17  
18 Dated: August 30, 2012



19 \_\_\_\_\_  
20 Hon. Donna M. Ryu  
21 Magistrate Judge, United States District Court