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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

NATALIE PRICE, Trustee of The Joyce A.
Childress Trust of 2004,

Plaintiff,

vs.

GRAND BANK FOR SAVINGS, FSB, a
Federal Savings Bank, et al.,

Defendants.

CASE NO. 18cv440-LAB (NLS)

**ORDER DENYING TEMPORARY
RESTRAINING ORDER**

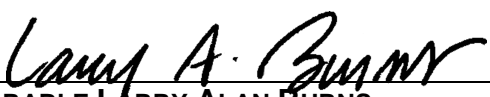
Natalie Price sued Grand Bank and Grand Financial Corporation for violations of the Fair Debt Collection Practices Act, wrongful foreclosure, and other claims. Last November, Grand Bank recorded a Notice of Default demanding that Price pay an alleged balance on property she owns of about \$11,000. Three weeks ago, Grand Bank recorded a Notice of Trustee’s Sale for March 1, 2018. Price asks for a temporary restraining order to prevent the sale.

The Court may issue a TRO only if Price alleges specific facts that clearly show immediate and irreparable injury will result, and, that explain why notice to the other side shouldn’t be required. Fed. R. Civ. P. 65(b). Price says she’ll suffer irreparable damage because she could lose property worth \$400,000 over an \$11,000 dispute. Price maintains that the Court must prioritize her case above all others, and proceed without notice to the other side, because the sale occurs in three days. But Price has known about the sale for

1 three weeks. And she's known the amount she needs to pay to prevent sale for three
2 months. Price has a simple remedy: pay the \$11,000 and maintain an action for damages.
3 See, e.g., *Barrett v. Popular Inc.*, 2007 WL 1753539, at *1 (W.D. Wash. June 18, 2007)
4 (denying motion for TRO because "plaintiff could have paid the amount allegedly owed" "to
5 halt the sale" and would only suffer an "economic injury" which "does not constitute
6 irreparable harm"). Moreover, Price's five-page brief in support of her request for emergency
7 relief makes no showing why she's likely to succeed on the merits of her claims. Since she
8 hasn't made an adequate showing of irreparable harm that requires the Court to expedite
9 her case without notice to the other side, her motion is **DENIED**.

10 **IT IS SO ORDERED.**

11 Dated: February 27, 2018



HONORABLE LARRY ALAN BURNS
United States District Judge

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