

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PATRICK Z. O'BRIEN

Plaintiff,

v.

CHASE BANK, N.A., MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC., GREAT
AMERICAN MORTGAGE COMPANY, and
LASALLE BANK NATIONAL ASSOCIATION

Defendant.

Case No. 12-10019

Honorable Julian Abele Cook, Jr.

ORDER

The Plaintiff, Patrick Z. O'Brien, contends that the Defendants, Chase Bank N.A. et al, are seeking to foreclose upon his home without any legal justification or authority. This action was initially filed in the Macomb County Circuit Court of Michigan. The Defendants subsequently undertook procedural steps which caused the case to be removed to this Court on the basis of its federal question jurisdiction. 28 U.S.C. §1331.

Currently before the Court is the Plaintiff's motion for a temporary restraining order that, if granted, would prevent the Defendants from undertaking any action, including a sheriff's sale, relating to the property at issue. In response, the Defendants have advised the Court that they have already suspended the now-challenged foreclosure proceedings pending the outcome of this litigation. Inasmuch as the foreclosure proceedings have already been suspended, the Plaintiff will not suffer any irreparable harm if the injunction is not issued. Therefore the Court denies his request

for equitable relief without prejudice. (ECF 18).

IT IS SO ORDERED.

S/Julian Abele Cook
JULIAN ABELE COOK
UNITED STATES DISTRICT JUDGE

Dated: August 23, 2012

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, August 23, 2012, by electronic and/or ordinary mail.

S/Lisa Wagner for Kay Doaks
Case Manager and Deputy Clerk
(313) 234-5100