

FILED
ALAMEDA COUNTY

JUN 04 2018

CLERK OF THE SUPERIOR COURT
By A. T. Ramos Deputy

1 RENEE SHIZUE YAMAGISHI
2 aka RENEE SHIZUE RAMOS
3 2703 Mathews Street
4 Berkeley CA 94702

5 Plaintiff in Pro Per /
6 Real Party Sui Juris
7 ryamagishi@gmail.com

8 **Superior Court of the State of California**
9 **For the County of Alameda**

10 RENEE SHIZUE YAMAGISHI)
11 aka RENEE SHIZUE RAMOS,)

Case No. **RG18906718**

12 Plaintiff in Pro Per / Real Party in Sui Juris;)

~~PROPOSED~~ ORDER ON EX PARTE)
APPLICATION FOR TEMPORARY)
RESTRAINING ORDER AND REQUEST FOR)
ORDER TO SHOW CAUSE WHY A)
PRELIMINARY INJUNCTION SHOULD NOT)
ISSUE TO PREVENT DISPOSSESSION OF REAL)
PROPERTY IN FORECLOSURE;)
[Principle Residence Dwelling, Plaintiff in)
Possession]

13 vs.)

14 NATIONSTAR MORTGAGE LLC dba MR. COOPER;)
15 AZTEC FORECLOSURE CORPORATION;)
16 WILMINGTON TRUST NATIONAL ASSOCIATION;)
17 WILMINGTON TRUST NATIONAL ASSOCIATION,)
18 AS SUCCESSOR TRUSTEE TO CITIBANK N.A., AS)
19 TRUSTEE FOR MERRILL LYNCH MORTGAGE)
20 INVESTORS TRUST, MORTGAGE LOAN ASSET-)
21 BACKED CERTIFICATES, SERIES 2006-HE5; M&T)
22 BANK;

**VIOLATION OF CALIFORNIA HOMEOWNER)
BILL OF RIGHTS)
(Cal Civil Code §2923.5; ref. §2924)**

23 AND DOES 1-100;

**VIOLATIONS OF CIVIL CODE)
§2923.5(a)(1)(A) and §2923.5(e) as to ref.)
§2924.12(a)(1); Mandated Injunctive)
Relief**

24 Defendants.

**PLEA FOR INJUNCTION as to §2924.12(a)(1)
(ref. §2923.5(a)(1)(A); and §2923.5(e))**

**PROOF OF AUTHORITY TO REPRESENT)
CIVIL CODE §2924(a)(6)**

Jury Trial Demanded

MAY 29 2018

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27 The Ex-Parte Application of Plaintiff RENEE SHIZUE YAMAGISHI aka RENEE SHIZUE
28 RAMOS came on for Ex-Parte hearing on June 4, 2018 in Dept. 16 of the above-
YAMAGISHI v NATIONSTAR MORTGAGE LLC, et al; Sup.Court of CA for Alameda County 41

1 entitled Court located at 1221 Oak Street, Oakland CA 94612; the Honorable Judge

2 Markman, Presiding.

3 In reading the application of Plaintiff and good cause appearing therefore:

4 IT IS ORDERED THAT the ex-parte application of RENEE SHIZUE YAMAGISHI aka
5 RENEE SHIZUE RAMOS is hereby GRANTED.
6

7 IT IS FURTHER ORDERED THAT a temporary restraining order, is issued restraining the
8 Defendants, their agents, attorneys and representatives, and all persons acting in concert or
9 participation with them, from selling, attempting to sell, or causing to be sold the Property either
10 under the power of sale clause contained in the Deed of Trust or by a Judicial Foreclosure Action;
11 the parcel of real property identified in Plaintiff's complaint, which is located at City of Berkeley,
12 County of Alameda, California, Assessor Parcel Number 054-1740-029; while this action is pending.
13

14 The temporary restraining order shall expire on 8/21/18 at 9A.M.

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16 IT IS FURTHER ORDERED THAT an order to show cause hearing shall be held on
17 Aug. 7, 2018 at 9A.M. in Dept. 16 of the above-entitled Court as to why a preliminary
18 injunction should not issue restraining the Defendants, their agents, attorneys and representatives, and
19 all persons acting in concert or participation with them, from selling, attempting to sell, or causing to
20 be sold the Property either under the power of sale clause contained in the Deed of Trust or by a
21 Judicial Foreclosure Action, the parcel of real property identified in Plaintiff's complaint, which is
22 located at City of Berkeley, County of Alameda, California, Assessor Parcel Number 054-1740-029;
23 while this action is pending.
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This order, the Ex-Parte Application and Plaintiff's supporting papers shall be served by personal delivery or USPS certified mail on the attorney of record for NATIONSTAR MORTGAGE LLC by Jul 4, 2018.

All papers opposing the motion shall be filed by Defendant, ~~_____~~ by ~~_____~~ JUL 17, 2018, and shall be served by personal delivery on the attorney of record for Plaintiff by ~~_____~~ JUL 17, 2018

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All reply papers shall be filed by the attorney of record for Plaintiff by ~~_____~~ JUL 24, 2018, and shall be served by personal delivery on the attorney of record for Defendant ~~_____~~ by ~~_____~~ JUL 24, 2018.

Dated: 6/4/18

[Signature]
JUDGE/COMMISSIONER OF THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA, DEPT. 16
HON. JUDGE MARKMAN, presiding

SEAL

Superior Court of California, County of Alameda
Rene C. Davidson Alameda County Courthouse

Yamagishi	Plaintiff/Petitioner(s)
VS.	
Nationstar Mortgage LLC	Defendant/Respondent(s)
(Abbreviated Title)	

No. RG18906713

Minutes

Department 16

Honorable Michael M. Markman, Judge

Cause called for Hearing Re: Application Re: Temporary Restraining Order & OSC re Preliminary Injunction: 06/04/2018

Plaintiff Renee Shizue Yamagishi appearing in pro per.

Defendant Aztec Foreclosure Corporation not appearing.

Defendant M&T Bank not appearing.

Defendant Nationstar Mortgage LLC not appearing.

Defendant Wilmington Trust National Association not appearing.

IT IS ORDERED that the Plaintiff's Application Re: Temporary Restraining Order & OSC re Preliminary Injunction is granted.

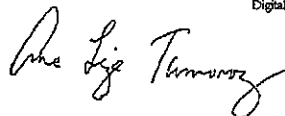
Proposed order signed and served to plaintiff in open court.

Plaintiff's proposed order signed OR to be submitted.

Minutes of 06/04/2018

Entered on 06/04/2018

Chad Finke Executive Officer / Clerk of the Superior Court

By  Digital

Deputy Clerk