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2 **BOTTOMLINE LAWYERS**
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7 Attorneys for Plaintiffs
8 DANIEL MAJOR EDSTROM, an individual;
9 and TERI ANNE EDSTROM, an individual


10 SUPERIOR COURT OF CALIFORNIA
11 COUNTY OF EL DORADO

12 DANIEL MAJOR EDSTROM, an)
13 individual; and TERI ANNE)
14 EDSTROM, an individual,)
15 Plaintiffs,)
16 v.)
17 NDEX WEST, LLC, a Delaware limited)
18 liability company; etc.)
19 Defendants.)

20 CASE NO. **PC# 20100314**
21 ORDER TO SHOW CAUSE RE
22 PRELIMINARY INJUNCTION
23 DATE:
24 TIME:
25 DEPT:

26 IT IS HEREBY ORDERED, pursuant to Code of Civil Procedure section 527 and 528,
27 that defendants shall appear on 6-11-10, at
28 9:30 AM., in department 9, of the El Dorado County Superior Court, located at
3321 Cameron Park Drive, in Cameron Park, California, to show cause, if any there be, why this
Court should not enter a preliminary injunction, pending final ruling on the claims in the
complaint, enjoining defendants from further violations of the California Civil Code; continuing
the terms of this order; and, imposing such additional relief as may be appropriate.

IT IS FURTHER ORDERED that the moving party shall serve on the Court and on all
other parties all memoranda, affidavits, and other evidence on which plaintiffs intend to rely, at
the preliminary injunction, by no later than 6-4-10. Any
opposition to the motion papers must be filed and served by no later than

FILED
10 MAY 25 AM 8:48
ELDORADO COUNTY
SUPERIOR COURT
BY  DEPUTY

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_____ . Any reply must be filed and served by no
later than 6-8-10 . Service of all papers shall be in a manner that
guarantees receipt of the documents by no later than forty-eight hours after they have been filed.

IT IS FURTHER ORDERED THAT this order be served upon all defendants forthwith.

DATED: 5/25/10



JUDGE OF THE SUPERIOR COURT
COUNTY OF EL DORADO

1 RICHARD A. HALL (SBN 135483)
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FILED
10 MAY 25 AM 8:39
ELDORADO COUNTY
SUPERIOR COURT

BY Starr, DEPUTY

7 Attorneys for Plaintiffs
8 DANIEL MAJOR EDSTROM, an individual;
9 and TERI ANNE EDSTROM, an individual

10 SUPERIOR COURT OF CALIFORNIA
11 COUNTY OF EL DORADO

PC 20100314

12 DANIEL MAJOR EDSTROM, an)
13 individual; and TERI ANNE)
14 EDSTROM, an individual,)
15 Plaintiffs,)
16 v.)
17 NDEX WEST, LLC, a Delaware limited)
18 liability company;)
19 Defendants.)

CASE NO.
TEMPORARY RESTRAINING ORDER
DATE: May 25, 2010
TIME: 8:15
DEPT: 9

20 Plaintiffs, Daniel Major Edstrom and Teri Anne Edstrom, have filed a complaint seeking
21 injunctive, declaratory and other relief, and also filed an ex parte application for a temporary
22 restraining order (TRO), pursuant to Code of Civil Procedure section 527 and 528. This Court has
23 considered the submissions filed in support of the TRO, including the application for TRO, the
24 exhibits, memoranda, and declarations, and now being advised in the premises, finds that:

- 25 1. There is good cause to believe that defendants have engaged, and are likely to
26 continue to engage, in acts or practices that violate the Civil Code of California;
27 and that plaintiffs are, therefore, likely to prevail on the merits of this action.
- 28 2. There is good cause to believe that plaintiffs will suffer immediate and continuing
harm unless defendants are immediately restrained by an order of this Court.
3. Plaintiffs' memorandum in support of their TRO application and the

1 accompanying declarations and exhibits demonstrate that it is likely that
2 defendants have engaged in a concerted course of illegal activity in initiating
3 foreclosure proceedings against plaintiffs' home, including scheduling a trustee
4 sale at which plaintiffs' home will be put on the auction block, on May 26, 2010,
5 at 10 a.m.

- 6 4. In compliance with the California Rules of Court, counsel for plaintiff has
7 submitted a certification evidencing the efforts to provide notice to defendant of
8 the submission of plaintiff's TRO motion and copies of all pleadings and papers
9 filed in the action to date.
- 10 5. Notice to all parties herein by this TRO has been given, pursuant to the
11 certification provided by plaintiff.
- 12 6. The court finds, under its discretionary authority, that plaintiff does not have to
13 give any security at this time to postpone the foreclosure sale.
- 14 7. This temporary restraining order is in the public interest.

15 **THEREFORE, THE COURT HEREBY ORDERS** as follows:

- 16 (1) All defendants and their agents, assigns, employees, officers, attorneys, and
17 representatives are enjoined and restrained from engaging in or performing any act
18 to deprive plaintiff of ownership or possession of the real property located at 2690
19 Brown Bear Court, Cool, California 95614 (hereafter, "the property"), including
20 but not limited to instituting, prosecuting or maintaining foreclosure or sale
21 proceedings on the property, from recording any deeds or mortgages regarding the
22 property or from otherwise taking any steps whatsoever to deprive plaintiff of
23 ownership in the property, and in particular from proceeding with the sale of the
24 property scheduled for May 26, 2010, at 10 a.m.
- 25 (2) This temporary restraining order shall be binding upon the parties to this action
26 and all other persons or entities who receive actual notice of this order by personal
27 service or other acceptable means of service.
- 28 (3) Plaintiff shall forthwith serve a copy of this order upon all defendants, together

1 with all other documentation filed with the court in this action.

2 (4) This temporary restraining order is entered this 25th day of May 2010, at

3 6:30 a.m., Pacific Standard Time.

4 (5) Because all defendants were informed prior to this TRO that a TRO was being
5 sought, this Court, under *Hewlett v. Squaw Valley Ski Corp.* (1997) 54

6 Cal.App.4th 499, 534, has discretion to extend the duration of this TRO beyond
7 the statutorily required 15-22 day period (Code Civ. Proc. Section 527(d)(1), and
8 hereby orders, therefore, this temporary restraining order will be in full force and

9 effect until 6/11/10 9:30AM.

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11 DATED: 5/25/10

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14 _____
15 JUDGE OF THE SUPERIOR COURT
16 COUNTY OF EL DORADO
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EL DORADO CO. SUPERIOR CT.

FILED MAY 24 2010

BY ERB
Deputy

7 Attorneys for Plaintiffs
8 DANIEL MAJOR EDSTROM, an individual;
9 and TERI ANNE EDSTROM, an individual

10 SUPERIOR COURT OF CALIFORNIA

11 COUNTY OF EL DORADO

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16 v.)
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18 liability company; etc.,)
19 Defendants.)

CASE NO. **PC 20100314**

SUPPLEMENTAL MEMORANDUM OF
POINTS AND AUTHORITIES IN SUPPORT OF
PLAINTIFFS' EX PARTE APPLICATION FOR
TEMPORARY RESTRAINING ORDER AND
ORDER TO SHOW CAUSE RE
PRELIMINARY
INJUNCTION

DATE: May 25, 2010
TIME: 8:15
DEPT: 9

BY FAX

20 Mortgage Lenders Network filed for bankruptcy protection with the United States
21 Bankruptcy Court, on February 5, 2007, and consequently, therefore, had no authority to assign
22 any interest if any it had, after that date. In the instant case, Mortgage Lenders Network, through
23 its nominee, is purporting to transfer interest through two assignments in 2009. Because
24 Mortgage Lenders Network had filed for bankruptcy by that date, it was not authorized to transfer
25 any interest it may have at after the time it filed for bankruptcy, in 2007. Therefore, any
26 assignments after that date are invalid.

27 DATED: May 24, 2010.

BOTTOMLINE LAWYERS



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EL DORADO CO. SUPERIOR CT.

FILED MAY 24 2010

BY 
Deputy

7 Attorneys for Plaintiffs
8 DANIEL MAJOR EDSTROM, an individual;
9 and TERI ANNE EDSTROM, an individual

SUPERIOR COURT OF CALIFORNIA

COUNTY OF EL DORADO

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14 v.)
15 NDEX WEST, LLC, a Delaware limited)
16 liability company; etc.,)
17 Defendants.)

CASE NO. **PC 20100314**

REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF PLAINTIFFS' EX PARTE
APPLICATION FOR TEMPORARY
RESTRAINING ORDER AND ORDER TO
SHOW CAUSE RE PRELIMINARY
INJUNCTION

DATE: May 25, 2010
TIME: 8:15
DEPT: 9

BY FAX

18 Plaintiffs request the Court take judicial notice of the Voluntary Petition, filed with the
19 United States Bankruptcy Court, District of Delaware, on February 5, 2007. Attached hereto is a
20 true and correct copy of the "Voluntary Petition," on the website for ECM/ECF, with a printout
21 of the first page of the case history. Plaintiffs also request the Court take judicial notice of the
22 action filed in San Francisco County Superior Court, titled Federal Home Loan Bank of San
23 Francisco, Credit Suisse Securities USA LLC (Case No. CGC-10-497840).

24 DATED: May 24, 2010.

BOTTOMLINE LAWYERS



27 RICHARD A. HALL
28

E. Romero