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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

TIMOTHY SCOTT CAMPBELL, *et al.*,

No. C 11-5498 RS

Plaintiffs,

**ORDER RE *EX PARTE* APPLICATION
FOR TEMPORARY RESTRAINING
ORDER**

v.

CITY OF OAKLAND, *et al.*,

Defendants.

On November 14, 2011, the Court received an *ex parte* request from plaintiffs for temporary injunctive relief from the alleged indiscriminate and excessive use of force by defendants, including the Oakland Police Department. To the extent plaintiffs rely on Federal Rule of Civil Procedure 65(b)(1) in support of their request, their complaint does not establish a basis to proceed without notice to the defendants. If they have not already done so, plaintiffs are instructed that they must serve defendants with notice of the request, unless "a statute, Federal Rule, local rule or Standing Order authorizes the filing of an *ex parte* motion in the circumstances and the party has complied with the applicable provisions allowing the party to approach the Court on an *ex parte* basis." Civil Local Rule 7-10. Specifically, plaintiffs must serve defendants with a copy of the application for temporary injunctive relief and all supporting papers, *see* Civil Local Rule 65-1, as well as a copy of this Order, by **November 14, 2011, at 5 p.m.** Defendants are instructed to file a written response to

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defendants' request by **November 15, 2011, at 5 p.m.** At that point, the Court will consider plaintiff's request. In the interim, plaintiff's request for temporary relief is denied.

IT IS SO ORDERED.

Dated: 11/14/2011



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE