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Attorneys for Benart Main Street Properties

UNITED STATES DISTRICT COURT**EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION**

VIOLA COPPOLA, GARY COPPOLA) Case No. 1:11-CV-01257-AWI-BAM
 and THE TRUST OF ANTHONY M.)
 COPPOLA,)

Plaintiffs,

v.

GREGORY SMITH, an individual,)
 RICHARD LASTER, an)
 individual; and THE JANE)
 HIGGINS NASH TRUST; JANE NASH)
 AS EXECUTOR OF THE ESTATE OF)
 DECATUR HIGGINS AKA THE)
 ESTATE OF MABEL ELAINE)
 HIGGINS, HARLEY MILLER, an)
 individual, CHERYL MILLER, an)
 individual, MARTIN AND MARTIN)
 PROPERTIES, BENART MAIN)
 STREET PROPERTIES, CAL WATER)
 SERVICE COMPANY, the CITY OF)
 VISALIA and DOES 1-20,)
 inclusive;)

Defendants.)

AND RELATED COUNTER AND CROSS)
 CLAIMS.)

1 TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD HEREIN:

2 WHEREAS, defendant Benart Main Street Properties' ("Benart")
3 - Benart's counsel is informed and believes that the proper
4 entity/party-defendant is/was actually named "Benart - Main
5 Street Investors, a California corporation" - deadline to file
6 and serve a pleading responsive to plaintiffs Viola Coppola's,
7 Gary Coppola's and The Trust of Anthony M. Coppola's
8 ("plaintiffs") third amended complaint is currently October 26,
9 2012.

10 WHEREAS, plaintiffs have agreed that Benart shall have an
11 additional fourteen (14) days to respond to plaintiffs' third
12 amended complaint.

13 WHEREAS, Local Rule 144(a) allows for a stipulation between
14 the parties allowing for additional time to respond to a
15 complaint, such as the instant one.

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1 THE PARTIES HERETO, BY AND THROUGH THEIR RESPECTIVE COUNSEL,
2 DO HEREBY AGREE AND STIPULATE AS FOLLOWS:

3 That Benart shall have until November 9, 2012, to file and
4 serve its pleading responsive to plaintiffs' third amended
5 complaint.

6
7 Dated: October 24, 2012

8 **CHIELPEGIAN LAW OFFICES**
9 A Professional Corporation

10
11 By: /s/ Lee S.W. Cobb
12 MARK E. CHIELPEGIAN
13 LEE S.W. COBB
Attorneys for BENART MAIN STREET
PROPERTIES

14 Dated: October 24, 2012

15 **GREBEN & ASSOCIATES**

16
17 By: /s/ Jan A. Greben
18 JAN A. GREBEN
19 JEFF COYNER
DANIELLE DE SMETH
Attorneys for PLAINTIFFS

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ORDER

Based on the foregoing stipulation, and good cause shown, the Court orders that Defendant Benart Main Street Properties be allowed to file his response to plaintiffs' Third Amended Complaint on or before November 9, 2012.

IT IS SO ORDERED.

Dated: October 26, 2012

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE