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6 Attorneys for Defendants  
 STEWART TITLE COMPANY

8 **UNITED STATES DISTRICT COURT**  
 9 **EASTERN DISTRICT OF CALIFORNIA**

11 NARINDER S. SAMRA,  
 12 HARMINDER K. SAMRA,

13 Plaintiffs,

14 vs.

15 KARNAIL S. JOHAL,  
 16 NILAKUMARI JOHAL,  
 17 GRIGORY YELKIN,  
 TATYANA YELKIN,  
 STEWART TITLE COMPANY,  
 18 and DOES 1 through 20,

20 Defendants.

) **CASE NO.**  
 ) **2:08-CV-02587-LKK-GGH**  
 ) **2:08-CV-02589-LKK-GGH**  
 )  
 ) **DEFENDANT STEWART**  
 ) **TITLE COMPANY'S EX PARTE**  
 ) **APPLICATION FOR ENLARGEMENT**  
 ) **OF TIME AND ORDER THEREON AND**  
 ) **DECLARATION OF ROBERT D. COLLINS**  
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1 Defendant Stewart Title Company, a Texas corporation, ("Stewart Title") hereby requests  
2 an enlargement of time within which to file a responsive pleading. The Summons and Complaint  
3 were personally served on Stewart Title of California, a California corporation, on December 10,  
4 2008, which would have made a responsive pleading due by December 30, 2008. Robert D.  
5 Collins informed Plaintiffs' counsel that the wrong entity had been served and that he was  
6 authorized to accept service on behalf of Stewart title Company, a Texas corporation. Mr.  
7 Collins and Plaintiffs' counsel agreed that a responsive pleading by Stewart Title Company  
8 would be due on or before January 15, 2009. (See Declaration of Robert D. Collins and Exhibit  
9 "A" attached thereto).

10 Accordingly, Defendant Stewart Title respectfully requests an enlargement of time to file  
11 a responsive pleading to and including January 15, 2009.


12 Dated: December 30, 2008 CVM LAW GROUP, LLP

13  
14 By: /s/ Robert D. Collins  
15 ROBERT D. COLLINS,  
16 Attorneys for Defendant  
17 STEWART TITLE COMPANY  
18 8795 Folsom Blvd., Suite 200  
19 Sacramento, California 95826  
20 Email: [bcollins@cvmllaw.com](mailto:bcollins@cvmllaw.com)  
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22 ORDER

23 IT IS SO ORDERED.

24 Dated: January 6, 2009

25  
26   
27 LAWRENCE K. KARLTON  
28 SENIOR JUDGE  
UNITED STATES DISTRICT COURT

1 **DECLARATION OF ROBERT D. COLLINS**

2 I, Robert D. Collins, declare:

3 1. I am an attorney at law licensed to practice before all courts in the State of  
4 California, including this District Court. I am a partner at the CVM Law Group, LLP, which is  
5 the attorney of record for Stewart Title Company, a Defendant in this matter. I am making this  
6 Declaration based upon my own knowledge and if called as a witness I will testify as to these  
7 facts.

8 2. I spoke to Anthony M. Perez, Jr., Plaintiffs’ counsel in this matter, concerning an  
9 extension of time to respond to Plaintiffs’ Complaint. I explained to Mr. Perez that he had  
10 served Stewart Title of California which is a California entity instead of Stewart Title Company,  
11 a Texas corporation doing business in the State of Washington. I also advised Mr. Perez that I  
12 was authorized to waive or accept service on behalf of Stewart Title Company and we discussed  
13 an appropriate time to respond. Because of the holidays and a snow storm in Seattle, I was  
14 having trouble getting the files in this matter and needs sufficient time to review them and  
15 prepare a response. Mr. Perez graciously agreed to give Stewart Title until January 15, 2009 to  
16 respond to the Complaint.

17 3. A true and correct copy of my letter dated December 26, 2008, commemorating  
18 this conversation is attached hereto as Exhibit “A”.

19 I declare under penalty of perjury under the laws of the State of California that the  
20 foregoing is true and correct. This Declaration was executed this 30<sup>th</sup> day of December, 2008, at  
21 Sacramento, California.

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23 ROBERT D. COLLINS

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**EXHIBIT "A"**