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6 Scarlata, and Nick S. Bomleny

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10
11 WINDERMERE HOLDINGS, LLC, a
California limited liability company,

12 Plaintiff,

13 vs.

14 U.S. WALL DÉCOR, LLC, a Florida limited
15 liability company, KINKADE EVENTS, LLC,
a Florida limited liability company, ALBERT
16 R. SCARLATA, a Florida resident, NICK S.
BOMLENY, a Florida resident and DOES 1
17 through 10,

18 Defendants.

Case No.: CV 10 03955-LB

**STIPULATION TO CONTINUE
HEARING DATE ON PLAINTIFF'S AND
CROSS-DEFENDANT'S MOTION TO
DISMISS; ORDER THEREON**

Date: June 23, 2011
Time: 11:00 a.m.
Ctroom: 4, 3rd Floor – Oakland
Hon. Laurel Beeler

19
20 **STIPULATION**

21 IT IS HEREBY STIPULATED by and between Plaintiff Windermere Holdings, LLC
22 and Cross-Defendant Thomas Kinkade, on the one hand, and Defendants and Cross-
23 Complainants, on the other hand, that Plaintiff Windermere Holdings, LLC and Cross-
24 Defendant Thomas Kinkade's Motion to Dismiss Counter and Cross-Claims of Defendant and
25 Cross-Complainant Nick S. Bomleny, scheduled for hearing on June 23, 2011, be continued for
26 45 days, and that the due date for the filing of the corresponding opposition and reply papers be
27 continued for 45 days, on the grounds that counsel for Defendants and Cross-Defendants will
28 file a motion to withdraw as counsel in this case. The extension for the hearing date on the

1 pending motion, as well as the corresponding opposition and reply papers, will allow sufficient
2 time for the filing and hearing of Bullivant Houser Bailey PC's Motion to Withdraw, which will
3 be filed with this Court on or before Thursday, June 2, 2011 and further, time to allow
4 Defendants and Cross-Complainants to seek new counsel.

5 DATED: May 25, 2011

6 BULLIVANT HOUSER BAILEY PC

7
8 By /s/
9 Ronald L. Richman

10 Attorneys for Defendants and Cross-Complainants
11 U.S. WALL DÉCOR, LLC, KINCADE EVENTS,
12 LLC, ALBERT R. SCARLATA, and NICK R.
13 BOMLENY

14 DATED: May 25, 2011

15 FOLEY & LARDNER

16 By /s/
17 Dana N. Levitt

18 Attorneys for Plaintiff WINDERMERE
19 HOLDINGS, LLC and Cross-Defendant THOMAS
20 KINKADE

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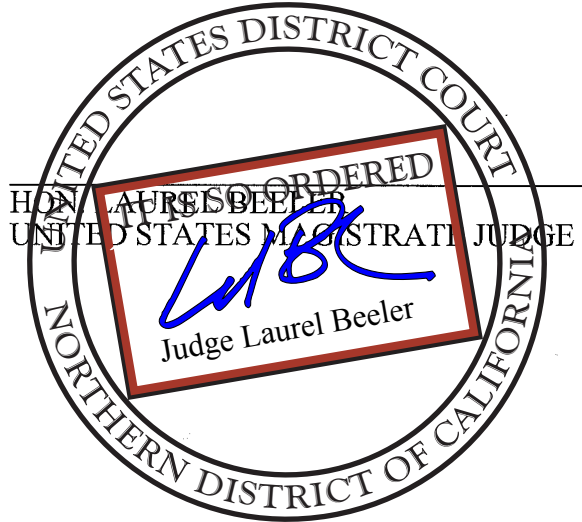
ORDER

Pursuant to Stipulation by the parties and good cause appearing:

IT IS HEREBY ORDERED that Plaintiff Windermere Holdings, LLC and Cross-Defendant Thomas Kinkade's Motion to Dismiss Counter and Cross-Claims of Defendant and Cross-Complainant Nick S. Bomleny shall be continued to August 4, 2011. Any Opposition shall be filed on or before July 11, 2011 and any Reply shall be filed on or before July 18, 2011.

Dated: May 26, 2011

By



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