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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

KEITH CHARLES KNAPP, as Trustee  
of the California Home Loans Profit  
Sharing Plan; TRUST FOR THE  
CALIFORNIA HOME LOANS  
PROFIT SHARING PLAN, as a  
fiduciary of the California Home Loans  
Profit Sharing Plan,  
  
Plaintiffs,  
  
v.  
  
NOREEN CARDINALE, an individual,  
  
Defendant.

**Case No. C-12-05076 RMW**  
**ORDER RELATING CASES**  
  
**[Re Docket No. 10, 11]**

Plaintiff Keith Charles Knapp filed an administrative motion to relate this case with *Cardinale v. Miller, et al.*, Case No. C-12-05078 JSW, which was recently removed from state court. The parties stipulated to relating the cases on the condition that the cases be assigned to Judge White, who is currently assigned to *Miller*. Under the Local Rules, however, related cases are assigned to the Judge hearing the lower numbered case. L.R. 3-11(f). Therefore, the stipulation is invalid and thus the court will consider the motion to relate on its merits.

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Under Local Rule 3-12, cases are related when the "actions concern substantially the same parties, property, transaction or event" and there would likely be "an unduly burdensome duplication of labor and expense or conflicting results if the cases are conducted before different Judges." L.R. 3-12(a). Here, both cases involve the same employee benefit plan and arise from the same happenings or events, and involve related questions of law and overlapping parties.

Therefore, the court orders that the cases be related and pursuant to the Local Rules that the Clerk reassign *Cardinale v. Miller, et al.*, Case No. C-12-05078 JSW, to this court.

IT IS SO ORDERED.

Dated: November 29, 2012

  
Ronald M. Whyte  
United States District Court Judge