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9 Attorneys for Plaintiffs,
 Keith Charles Knapp, as Trustee of the California Home Loans
 10 Profit Sharing Plan, and the Trust for the California Home Loans
 Profit Sharing Plan, as a fiduciary of the California Home Loans
 11 Profit Sharing Plan

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 14 UNITED STATES DISTRICT COURT
 15 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 16 SAN JOSE DIVISION
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18 KEITH CHARLES KNAPP, as Trustee of)
 the California Home Loans Profit Sharing)
 19 Plan; TRUST FOR THE CALIFORNIA)
 HOME LOANS PROFIT SHARING PLAN,)
 20 as a fiduciary of the California Home Loans)
 Profit Sharing Plan; and THERESE A.)
 21 LAVOIE, as a participant in the California)
 Home Loans Profit Sharing Plan,)
 22)
 Plaintiffs,)
 23)
 v.)
 24)
 NOREEN CARDINALE, an individual,)
 25)
 Defendant.)
 26)
 27)
 28)

CASE NO. C 12-05076 RMW
STIPULATION AND CONSENT BY ALL
PLAINTIFFS TO THE WITHDRAWAL OF
CO-COUNSEL FOR PLAINTIFFS;
~~**[PROPOSED]**~~ **ORDER; AND PROOF OF**
SERVICE

CIV. LOC. RULES, RULE 7-12 AND
RULE 11-5(a)

1 NOREEN CARDINALE,

2 Plaintiff,

3 v.

4 DANIEL R. MILLER JR.; PATRICE)
MILLER, his spouse; DANIEL R. MILLER)
5 SR.; PASHLIN INC., a California)
corporation; DERALD R. KENOYER;)
6 KEITH CHARLES KNAPP; HOME LOAN)
SERVICES CORPORATION dba)
7 CALIFORNIA HOME LOANS, a California)
Corporation; and DOES 1 through 100,)
8 inclusive)

9 Defendants.)
10)
11)

RELATED CASE NO. C 12-05078 RMW

**(Remanded Pursuant to Order Dated
February 15, 2013)**

11 TO: CO-COUNSEL FOR PLAINTIFFS, JOSEPH A. GAROFOLO; AND TO
12 DEFENDANT, NOREEN CARDINALE, AND TO HER ATTORNEYS OF RECORD HEREIN:

13 PLEASE TAKE NOTICE THAT as of November 12, 2013 all of the plaintiffs in this
14 action, Keith Charles Knapp, as Trustee of the California Home Loans Profit Sharing Plan
15 (hereinafter referred to as the "Plan"), and as Trustee of the Trust for the Plan; and Therese A.
16 Lavoie, as a participant in the Plan (hereinafter collectively referred to as "All Plaintiffs") stipulate
17 and consent under Civ. Loc. Rules, Rule 7-12, to this Court that Business & Technology Law
18 Group and Stephen N. Hollman (hereinafter collectively referred to as "Hollman"), co-counsel for
19 All Plaintiffs in this action, may withdraw under Civ. Loc. Rules, Rule 11-5(a), as co-counsel of
20 record in this action for All Plaintiffs, and that Hollman be relieved of all duties and responsibilities
21 as co-counsel of record in this action for All Plaintiffs, both to be effective as of November 12,
22 2013.

23 In this instance, the conditional withdrawal provisions set forth in Civ. Loc. Rules, Rule
24 11-5(b), are inapplicable because All Plaintiffs hereby acknowledge they have, and have
25 continuously had, other counsel of record in this action. Thus, the withdrawal by Hollman poses no
26 prejudice to All Plaintiffs.
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1 A Notice of Motion and Motion to be Relieved as Counsel by Hollman under Cal. Prof.
2 Rules of Conduct, Rule 3-700(c), was heard in Department 3 of the Superior Court for the County
3 of Contra Costa on October 25, 2013 at 10:00 a.m. on Hollman's Ex Parte Motion to Shorten Time
4 for Hearing of an underlying Notice of Motion and Motion to be Relieved as Counsel. There Hon.
5 Judith Craddick found that there were good and ample grounds for Hollman to withdraw on the
6 underlying Motion, and Plaintiff Knapp herein, the defendant therein, substituted in other counsel
7 during such hearing.

8 For the all of the foregoing reasons and based upon the stipulation and consent of All
9 Plaintiffs, *infra.*, under Civ. Loc. Rules, Rule 7-12, Hollman respectfully requests that the Court
10 issue an Order permitting the withdrawal of Hollman as co-counsel in this action pursuant to Civ.
11 Loc. Rules, Rule 11-5(a), and that Hollman be relieved of all duties and responsibilities as co-
12 counsel in this action both to be effective as of November 12, 2013.

13 DATED: November 12, 2013

Respectfully submitted,

14 BUSINESS & TECHNOLOGY LAW GROUP

15 By: 

16 Stephen N. Hollman
17 Co-counsel for Keith Charles Knapp, as
18 Trustee of the California Home Loans Profit
19 Sharing Plan; the Trust for the California
20 Home Loans Profit Sharing Plan, as a
21 fiduciary of the California Home Loans
22 Profit Sharing Plan; and Therese A. Lavoie,
23 as a participant in the California Home Loans
24 Profit Sharing Plan

25 **STIPULATION AND CONSENT OF PLAINTIFFS TO WITHDRAWAL OF COUNSEL**

26 1. I, Keith Charles Knapp, am a plaintiff in this action both as Trustee of the
27 California Home Loans Profit Sharing Plan and as Trustee of the Trust of the California Home
28 Loans Profit Sharing Plan.

2. In my two capacities as a Plaintiff in this action, neither I, the California Home Loans
Profit Sharing Plan, nor the Trust of the California Home Loans Profit Sharing Plan will be prejudiced in


1 any manner by the withdrawal of Business & Technology Law Group and Stephen N. Hollman as co-
2 counsel in this action because I and the Plan have, and have continuously had, other counsel of
3 record in this action.

4 3. Therefore, in my two capacities as a Plaintiff in this action and on behalf of the Plan, I
5 declare under penalty of perjury that I knowingly and freely stipulate and consent to this Court that
6 Business & Technology Law Group and Stephen N. Hollman may withdraw as co-counsel in this action
7 effective as of November 12, 2013, and that Business & Technology Law Group and Stephen N.
8 Hollman be relieved of all duties and responsibilities as co-counsel in this action both to be effective
9 as of November 12, 2013.

10 IT IS SO STIPULATED BY ME effective as of November 12, 2013.

11 Respectfully submitted,

12 KEITH CHARLES KNAPP

13 By: 
14 Keith Charles Knapp, aka K.C. Knapp, as
15 Trustee of the California Home Loans Profit
16 Sharing Plan, and as Trustee of the Trust for
the California Home Loans Profit Sharing
Plan

17 4. I, Therese A. Lavoie, am a plaintiff in this action as a participant in the California
18 Home Loans Profit Sharing Plan.

19 5. In my capacity as a Plaintiff in this action, I shall not be prejudiced in any manner by the
20 withdrawal of Business & Technology Law Group and Stephen N. Hollman as co-counsel in this action
21 because I have, and have continuously had, other counsel of record in this action.

22 6. Therefore, in my capacity as a Plaintiff in this action, I declare under penalty of perjury
23 that I knowingly and freely stipulate and consent to this Court that Business & Technology Law Group
24 and Stephen N. Hollman may withdraw as co-counsel in this action effective as of November 12, 2013,
25 and that Business & Technology Law Group and Stephen N. Hollman be relieved of all duties and
26 responsibilities as co-counsel in this action both to be effective as of November 12, 2013.

27 IT IS SO STIPULATED BY ME effective as of November 12, 2013.

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Respectfully submitted,

THERESE A. LAVOIE

By: *Therese A. Lavoie*
Therese A. Lavoie, as a participant in the
California Home Loans Profit Sharing Plan

~~PROPOSED~~ ORDER

Based upon the stipulation and consent of each of the Plaintiffs, who are all of the affected parties in this action, made under the penalty of perjury, as set forth above, and this Court finding that no prejudice will inure to any of such Plaintiffs,

PURSUANT TO STIPULATION, IT IS SO ORDERED under Civ. Loc. Rules, Rule 7-12 (a) that Business and Technology Law Group and Stephen N. Hollman are hereby permitted pursuant to Civ. Loc. Rules, Rule 11-5(a), to withdraw as co-counsel in this action and Stephen N. Hollman and Business & Technology Law Group are to be relieved of all duties and responsibilities as co-counsel in this action both to be effective as of November 12, 2013.

DATED: November __, 2013

Ronald M. Whyte
Hon. Ronald M. Whyte
Senior United States District Judge