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UNITED STATES DISTRICT COURT  
FOR THE 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; THERESE A. LAVOIE, as a  
participant in the California Home Loans  
Profit Sharing Plan,

Plaintiffs,

v.

NOREEN CARDINALE, an individual,  
Defendant.

**CASE NO. C 12-05076-RMW-HRL**  
**STIPULATION AND []**  
**ORDER TO ENLARGE TIME FOR**  
**PLAINTIFFS TO RESPOND TO**  
**DEFENDANT'S MOTION FOR**  
**TEMPORARY STAY OF PROCEEDINGS**  
**AND FOR DEFENDANT TO REPLY TO**  
**PLAINTIFFS' RESPONSE**

**Hon. Ronald M. Whyte**

**Pre-Trial Conf.: June 26, 2014**  
**Trial Date: July 21, 2014**

**Hearing Date: June 20, 2014**  
**Hearing Time: 9:00 a.m.**  
**Courtroom 6 – 4th Floor**

NOREEN CARDINALE,

Plaintiff,

v.

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

Defendants.

**RELATED CASE NO. C 12-05078-RMW**  
**(Remanded Pursuant to Order Dated**  
**February 15, 2013)**

1 Pursuant to Civil L.R. 6-2 and 7-12, Plaintiffs Keith Charles Knapp, as Trustee of the  
2 California Home Loans Profit Sharing Plan, the Trust for the California Home Loans Profit  
3 Sharing Plan, as a fiduciary of the California Home Loans Profit Sharing Plan, Therese A. Lavoie,  
4 as a participant in the California Home Loans Profit Sharing Plan, and Defendant Noreen  
5 Cardinale hereby stipulate and request that the deadline for Plaintiffs to respond to Defendant's  
6 Motion for Temporary Stay of Proceedings ("Motion") (Doc. 101) and for Defendant to reply to  
7 Plaintiffs' response, currently due on May 29, 2014, and June 5, 2014, respectively, be extended  
8 until June 6, 2014, and June 13, 2014, respectively.

9 Defendant's Motion seeks to stay this action brought pursuant to the Employee  
10 Retirement Income Security Act of 1974, as amended. (*See* Declaration of Joseph A. Garofolo ¶ 3  
11 filed concurrently herewith). Plaintiffs' only counsel, Joseph A. Garofolo, has a vacation in  
12 Hawaii scheduled from May 22, 2014, until June 1, 2014, and Plaintiffs' response would otherwise  
13 fall on May 29, 2014. (*See id.* at ¶¶ 3-5). Plaintiffs' counsel's vacation was scheduled well in  
14 advance of the noticed motion. (*See id.* at ¶ 4). The requested extension for Plaintiffs' response  
15 until June 6, 2014, and for Defendant to reply until June 13, 2014, would not have any effect on  
16 the noticed date for the Motion to be heard of June 20, 2014. (*See id.* at ¶ 6).

17 This is the first request for an enlargement of time for Plaintiffs to file a response to  
18 Defendant's Motion and for Defendant to reply, and the parties do not believe that the requested  
19 enlargement would have any effect on the schedule for the case. (*See id.* at ¶¶ 6-7).

20 IT IS SO STIPULATED AND AGREED.

21 May 21, 2014

/s/ Michael L. Boli

22 Michael L. Boli  
23 Attorney for Defendant/Judgment Creditor Noreen  
Cardinale

24 May 21, 2014

/s/ Joseph A. Garofolo

25 Joseph A. Garofolo  
26 Attorney for Plaintiffs Keith Charles Knapp, as Trustee of  
the California Home Loans Profit Sharing Plan, the Trust  
27 for the California Home Loans Profit Sharing Plan, as a  
fiduciary of the California Home Loans Profit Sharing  
Plan, and Therese A. Lavoie, as a participant in the  
28 California Home Loans Profit Sharing Plan

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**ORDER**

Pursuant to the Stipulation, and good cause appearing, the Court orders the following:

- i) Plaintiffs may file their response to Defendant’s Motion for Temporary Stay of Proceedings by, and including, June 6, 2014; and ii) Defendant may file her reply to Plaintiffs’ response to Defendant’s Motion for Temporary Say of Proceedings by, and including, June 13, 2014.

IT IS SO ORDERED.

Dated: May \_\_, 2014



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UNITED STATES DISTRICT JUDGE