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9 Attorneys for Plaintiff

10  
11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA, )  
15 Plaintiff, )

16 v. )

17 WALTER LIEW, )  
18 CHRISTINA LIEW, )  
19 ROBERT J. MAEGERLE, )  
USA PERFORMANCE )  
20 TECHNOLOGY, INC., )

21 Defendants. )  
22

No. CR 11-00573 JSW (NC)

UNITED STATES' STATUS REPORT  
RE: DISCOVERY

Hearing Date: June 20, 2012  
Hearing Time: 11:00 am

23 The United States submits this report to advise the Court of the status of discovery  
24 in the above-captioned case.

25 Prior to the parties' May 16, 2012 appearance before the Court for a discovery  
26 conference, the United States had produced a hard drive containing approximately  
27 280,000 megabytes of information (which is the equivalent to 140,000,000 pages of  
28 double-spaced text) from electronic files seized at a bank safe deposit box, several

1 hundred pages of documents related to the execution of search warrants at the Liew's  
2 residence and the bank safe deposit box, and reports of interviews of a cooperating  
3 witness. The United States also provided 4,500 pages of documents from the residence of  
4 Robert Maegerle to his counsel.

5 Since the May 16, 2012, court appearance, the United States has provided several  
6 hundred additional pages of discovery, which include the defendants' statements and  
7 search warrant pleadings.

8 In an effort to produce additional discovery *prior to* the Court's resolution of the  
9 protective order motion, the government offered to produce – (1) an electronic version of  
10 the hard copy materials seized from the execution of search warrants at the Liew's  
11 residence, USAPTI's office, and the Maegerle residences; (2) emails obtained from  
12 various search warrants on internet service providers – subject to an interim letter  
13 agreement. The United States circulated a draft interim letter agreement to defense  
14 counsel. On May 24, 2012, government counsel met and conferred with Mr. Weinberg  
15 about defense objections to the letter agreement and the United States agreed to modify it  
16 in response to defense concerns about emailing documents. Mr. Weinberg advised that  
17 he would confer with defense counsel about whether the defense would agree to the terms  
18 of such a revised letter agreement. The United States never received a response to that  
19 proposal. These materials are ready to be produced subject to the entry of a protective  
20 order.

21 The United States also anticipates producing computer file names shortly and ESI  
22 after the entry of a protective order.

23 Respectfully Submitted,

24 DATED: 6/13/12

MELINDA HAAG  
United States Attorney

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26 \_\_\_\_\_  
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