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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

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UNITED STATES OF AMERICA,

Case No. CR 11-0573-JSW (NC)

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Plaintiff,

**STIPULATION AND [PROPOSED]  
ORDER TO CHANGE HEARING DATE  
AND DEADLINE FOR LETTER BRIEFS  
ADDRESSING TIMING OF RULE 16  
EXPERT WITNESS STATEMENTS**

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v.

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WALTER LIEW, CHRISTINA LIEW, USA  
PERFORMANCE TECHNOLOGY, INC.,  
16 and ROBERT MAEGERLE,

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Defendants.

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1 The parties, by and through their undersigned counsel, stipulate and agree as follows:

2 1. The parties filed a stipulation to submit letter briefs regarding the timing of Rule  
3 16 expert witness statements on June 7, 2013. Dkt. 333.

4 2. The Court entered an Order ordering the filing of letter briefs on June 7, 2013 and  
5 setting a hearing on the parties' letter briefs for June 12, 2013. Dkt. 334.

6 3. None of the three attorneys representing Mr. Liew, Stuart Gasner, Simona  
7 Agnolucci, and Katherine Lovett, are available for a June 12 hearing. Mr. Gasner will be in a  
8 deposition; Ms. Agnolucci will be out of the country on another matter; and Ms. Lovett will be in  
9 trial on another matter.

10 4. Counsel for Mr. Liew and the Government are available for a hearing one week  
11 later, on June 19, 2013. Accordingly, the parties stipulate and agree to extend the hearing date  
12 regarding the timing of Rule 16 expert witness statements to June 19, 2013.

13 5. In light of the proposed extension of the hearing date, all counsel hereby stipulate  
14 and agree to extend the deadline for submitting letter briefs by one week, or until June 14, 2013.

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1 SO STIPULATED AND AGREED,

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3 Dated: June 6, 2013

KEKER & VAN NEST LLP

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5 By: /s/ Simona A. Agnolucci  
STUART L. GASNER  
SIMONA A. AGNOLUCCI  
KATHERINE M. LOVETT

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7 Attorneys for Defendant  
WALTER LIEW

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10 Dated: June 6 , 2013

MELINDA HAAG  
UNITED STATES ATTORNEY

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13 By: /s/ John H. Hemann  
JOHN H. HEMANN  
PETER B. AXELROD

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15 Assistant United States Attorneys

16 **CONCURRENCE**

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18 I, Simona Agnolucci, am the ECF user whose ID and password are being used to file this  
19 STIPULATION AND [PROPOSED] ORDER TO CHANGE HEARING DATE AND  
20 DEADLINE FOR LETTER BRIEFS ADDRESSING TIMING OF RULE 16 EXPERT  
21 WITNESS STATEMENTS. In compliance with General Order 45, X.B., I hereby attest that  
22 John H. Hemann has concurred in this filing.

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**[PROPOSED] ORDER**

Based upon the parties' stipulation and for good cause shown, the hearing regarding the timing of Rule 16 expert witness is set for June 19, 2013 at 11:00 a.m. The parties' letter briefs shall be filed by June 14, 2013.

Dated:

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NATHANAEL COUSINS  
United States District Judge