

1 MELINDA HAAG (CABN 132612)  
 United States Attorney  
 2  
 3 MIRANDA KANE (CABN 150630)  
 Chief, Criminal Division  
 4 PETER B. AXELROD (CABN 190843)  
 JOHN H. HEMANN (CABN 165823)  
 5 Assistant United States Attorneys

6 450 Golden Gate Ave., Box 36055  
 San Francisco, California 94102  
 7 Telephone: (415) 436-7200  
 Fax: (415) 436-7234  
 8 E-Mail: peter.axelrod@usdoj.gov

9 Attorneys for Plaintiff

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

14 UNITED STATES OF AMERICA,	)	No. CR 11-0573 JSW
	)	
15 Plaintiff,	)	
	)	
16 v.	)	STIPULATION AND [PROPOSED]
	)	ORDER EXCLUDING TIME FROM
17 WALTER LIEW and	)	SEPTEMBER 22, 2011 TO DECEMBER 1,
CHRISTINA LIEW,	)	2011
	)	
18 Defendants.	)	
	)	

20

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

22 1. On September 22, 2011, defendants Walter Liew and Christina Liew appeared before the

23 Court for an initial status conference in the above-captioned action. Doron Weinberg appeared

24 for Christina Liew and Tom Nolan appeared for Walter Liew. Assistant United States Attorneys

25 Peter B. Axelrod and John H. Hemann appeared for the United States.

26 2. The United States informed the Court that the discovery to be produced in connection

27 with the charges alleged in the Indictment is voluminous, and consists of both electronic and

28 paper documents, many of which are in Chinese; the United States and counsel for the

1 defendants will negotiate and enter into a protective order designed to protect any trade secret  
2 information contained in discovery. In addition, the United States informed the Court that it  
3 intends to file additional charges against both defendants, arising from the trade secret  
4 investigation that is the subject of the instant Indictment.

5 3. Under these circumstances, the parties jointly request that time under the Speedy Trial Act  
6 be excluded between September 22, 2011 and December 1, 2011, pursuant to 18 U.S.C. §  
7 3161(h) for effective preparation of defense counsel and continuity of counsel.<sup>1</sup> The parties  
8 agree that such an exclusion is supported by the United States' representations to the Court  
9 regarding discovery and the record of proceedings before the Magistrate Court.

10 4. Defendants Walter Liew and Christina Liew have been advised of their right to a Speedy  
11 Trial and consent to the exclusion of time as set forth in this Stipulation.

12 SO STIPULATED AND AGREED,

13

14 DATED: September 26, 2011

MELINDA HAAG  
United States Attorney

15

16

17

/s/  
\_\_\_\_\_  
PETER B. AXELROD  
JOHN H. HEMANN  
Assistant United States Attorneys

18

19

20 DATED: September 26, 2011

/s/  
\_\_\_\_\_  
DORON WEINBERG  
Counsel for Christina Liew

21

22

23 DATED: September 26, 2011

/s/  
\_\_\_\_\_  
THOMAS NOLAN  
Counsel for Walter Liew

24

25

26

27

28

<sup>1</sup>Time was previously excluded by the Honorable Jacqueline Scott Corley from the  
defendants' entries of not guilty pleas to the instant Indictment on September 20, 2011, to  
September 22, 2011.

**[PROPOSED] ORDER**

Based upon the parties' stipulation and for good cause shown, the Court finds that failing to exclude the time between September 22, 2011 and December 1, 2011, would unreasonably deny defendants Walter Liew and Christina Liew continuity of counsel and would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7). The Court further finds that the ends of justice served by excluding the time between September 22, 2011 and December 1, 2011, from computation under the Speedy Trial Act outweigh the best interests of the public and the defendants in a speedy trial.

Therefore, IT IS HEREBY ORDERED that the time between September 22, 2011 and December 1, 2011, shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

DATED: \_\_\_\_\_

\_\_\_\_\_  
JEFFREY S. WHITE  
United States District Judge