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

14 UNITED STATES OF AMERICA,)
15 Plaintiff,)
16 v.)
17 WALTER LIEW, and)
18 CHRISTINA LIEW,)
19 Defendants.)
20

No. CR 11-0573 JSW

STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME FROM
DECEMBER 1, 2011 TO FEBRUARY 2,
2012

21 The parties, by and through the undersigned counsel, hereby stipulate and agree as
22 follows:

23 1. On December 1, 2011, defendants Walter Liew and Christina Liew appeared
24 before the Honorable Jeffrey S. White, United States District Judge, for a status hearing. Doron
25 Weinberg appeared for Christina Liew, who was assisted by a court-appointed Chinese
26 (Mandarin) interpreter, and Tom Nolan appeared for Walter Liew. Assistant United States
27 Attorneys Peter B. Axelrod and John H. Hemann appeared for the United States. Prior to the
28 hearing, the United States had provided the defendants with partial discovery and, at the hearing,

1 the United States advised the Court that it intended to produce an additional 300 gigabytes of
 2 discovery, including voluminous materials in the Chinese language, upon the Court's entry of a
 3 stipulated protective order. Further, the United States restated its intention to seek a superseding
 4 indictment against the defendants related to its on-going trade secret investigation. The matter
 5 was continued to February 2, 2012 for a status/initial appearance on a superseding indictment.

6 2. At the hearing, the parties jointly requested that time be excluded between
 7 December 1, 2011 and February 2, 2012 under the Speedy Trial Act (18 U.S.C. § 3161) on
 8 grounds of complexity and for effective preparation of defense counsel. Specifically, the case is
 9 complex under 18 U.S.C. § 3161(h)(7)(B)(ii) – it involves witness tampering and false
 10 statements in conjunction with the theft of trade secrets related to a complicated industrial
 11 process, the manufacture of titanium dioxide (TiO₂) through the chloride route, and it also
 12 involves a vast array of documents in the Chinese language, including extensive Chinese
 13 language materials in the additional 300 gigabytes of discovery. Further, defense counsel will
 14 need additional time to review the voluminous discovery, including foreign language documents,
 15 to effectively prepare the defense.

16 3. Defendants Walter and Christina Liew have been advised of their right to a speedy
 17 trial and consent to the exclusion of time set forth in this Stipulation.

18 SO STIPULATED.

19 DATED: 12/9/11

MELINDA HAAG
 United States Attorney

/S/

22 _____
 PETER B. AXELROD
 JOHN H. HEMANN
 Assistant United States Attorneys

24 DATED: 12/9/11

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 TOM NOLAN
 Counsel for Walter Liew

26 DATED: 12/9/11

/S/

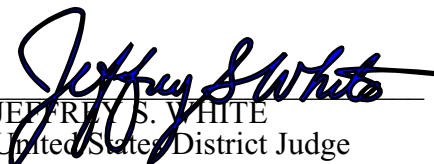
27 _____
 DORON WEINBERG
 Counsel for Christina Liew

~~PROPOSED~~ ORDER

Based upon the parties' stipulation, the record in this case, including the information presented at the December 1, 2011 hearing, and for good cause shown, the Court finds that, under 18 U.S.C. § 3161(h)(7)(B)(ii), the case is so complex that it is unreasonable to expect adequate preparation for pretrial proceedings and for trial within the time limits set forth in 18 U.S.C. § 3161. The Court further finds that the ends of justice served by excluding the time between December 1, 2011 and February 2, 2012 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendants in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

Therefore, IT IS HEREBY ORDERED that the time between December 1, 2011 and February 2, 2012 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (B)(ii).

DATED: December 9, 2011


JEFFREY S. WHITE
United States District Judge