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7 Attorneys for Defendants WALTER LIEW and
8 USA PERFORMANCE TECHNOLOGY, INC.

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

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

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

17 Defendants.
18

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

**JOINT STIPULATION AND [PROPOSED]
ORDER REGARDING PRETRIAL
SUBMISSIONS**

Dept.: Hon. Jeffrey S. White
Courtroom 11, 19th Floor

1 Defendants Walter Liew, Robert Maegerle, and USA Performance Technology, Inc., on
2 the one hand, and the United States, on the other hand, by and through their undersigned counsel,
3 stipulate and agree as follows:

4 1. The Court has scheduled the pretrial conference in this matter for December 15,
5 2013.

6 2. The Court has ordered the parties to file their pretrial submissions by
7 November 15, 2013.

8 3. No later than November 15, 2013, the parties intend to submit a jointly signed
9 proposed final pretrial order in accordance with paragraph 5 of the Court's Guidelines for
10 Motions, Final Pretrial Conference, and Trial ("Guidelines"), which, in addition to the matters set
11 forth in Northern District Criminal Local Rule 17.1-1(b), contains: (i) a brief description of the
12 substance of the case; (ii) a joint exhibit list in numerical order, and (iii) each party's separate
13 witness list for its case-in-chief witnesses. No later than November 15, 2013, the parties also
14 intend to submit jury instructions, a statement of the case, voir dire questions, trial briefs, and a
15 list of exhibit objections in accordance with paragraphs 6(a) through (f) of the Guidelines.

16 4. The parties currently are meeting and conferring about whether they will enter into
17 any factual or evidentiary stipulations, including but not limited to stipulations regarding the
18 accuracy of translations of Chinese documents and the authenticity of documents. In light of the
19 anticipated volume of exhibits, the parties will require significant time to review and analyze each
20 other's proposed exhibits before entering into any stipulations. Accordingly, the parties stipulate
21 and agree that they will submit any stipulations to the Court no later than December 6, 2013.

22 5. The government anticipates creating "summary exhibits" that summarize factual
23 information and data contained in the parties' other exhibits. The defense may prepare similar
24 "summary exhibits." The parties hereby stipulate and agree to exchange those summary exhibits
25 on or before December 4, 2013, to exchange any objections to those summary exhibits before
26 December 9, 2013, and to submit a list of summary exhibits and objections thereto to the Court no
27 later than December 11, 2013.

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2. The parties shall submit a list of summary exhibits and objections thereto to the Court no later than December 11, 2013.

3. The parties shall submit any factual or evidentiary stipulations to the Court no later than December 6, 2013.

Dated: _____

Honorable Jeffrey S. White
Judge, United States District Court