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8	USA PÉRFORMANCE TECHNOLOGY, INC.	
9	UNITED STATES DISTRICT COURT	
10	NORTHERN DISTRICT OF CALIFORNIA	
11	SAN FRANCISCO DIVISION	
12	UNITED STATES OF AMERICA, Case No. CR 11-0573-JSW (NC) ORDER GRANTING IN PART AND DENYING	INI
13	Plaintiff, PART JOINT STIPULATION AND [PROPOSED] ORDER REGARDING PRETRIAL	111
14	v. SUBMISSIONS	
15	WALTER LIEW, CHRISTINA LIEW, USA PERFORMANCE TECHNOLOGY, INC., Dept.: Hon. Jeffrey S. White Courtroom 11, 19th Floor	
16	and ROBERT MAEGERLE,	
17	Defendants.	
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Defendants Walter Liew, Robert Maegerle, and USA Performance Technology, Inc., on the one hand, and the United States, on the other hand, by and through their undersigned counsel, stipulate and agree as follows:

- The Court has scheduled the pretrial conference in this matter for December 15,
 2013.
- 2. The Court has ordered the parties to file their pretrial submissions by November 15, 2013.
- 3. No later than November 15, 2013, the parties intend to submit a jointly signed proposed final pretrial order in accordance with paragraph 5 of the Court's Guidelines for Motions, Final Pretrial Conference, and Trial ("Guidelines"), which, in addition to the matters set forth in Northern District Criminal Local Rule 17.1-1(b), contains: (i) a brief description of the substance of the case; (ii) a joint exhibit list in numerical order, and (iii) each party's separate witness list for its case-in-chief witnesses. No later than November 15, 2013, the parties also intend to submit jury instructions, a statement of the case, voir dire questions, trial briefs, and a list of exhibit objections in accordance with paragraphs 6(a) through (f) of the Guidelines.
- 4. The parties currently are meeting and conferring about whether they will enter into any factual or evidentiary stipulations, including but not limited to stipulations regarding the accuracy of translations of Chinese documents and the authenticity of documents. In light of the anticipated volume of exhibits, the parties will require significant time to review and analyze each other's proposed exhibits before entering into any stipulations. Accordingly, the parties stipulate and agree that they will submit any stipulations to the Court no later than December 6, 2013.
- 5. The government anticipates creating "summary exhibits" that summarize factual information and data contained in the parties' other exhibits. The defense may prepare similar "summary exhibits." The parties hereby stipulate and agree to exchange those summary exhibits on or before December 4, 2013, to exchange any objections to those summary exhibits before December 9, 2013, and to submit a list of summary exhibits and objections thereto to the Court no later than December 11, 2013.

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1	6. The parties propose exchanging their opening motions in limine no later than
2	November 15, 2013, exchanging oppositions no later than November 21, 2013, and submitting
3	binders of the motions in limine and oppositions to the Court in accordance with paragraph 6(g)
4	of the Court's Guidelines no later than November 22, 2013.
5	SO STIPULATED AND AGREED.
6	Dated: October 21, 2013 KEKER & VAN NEST LLP
7	
8	By: /s/ Simona A. Agnolucci STUART L. GASNER SIMONA A. AGNOLUCCI
9	KATHERINE M. LOVETT
10	Attorneys for Defendants WALTER LIEW and USA PERFORMANCE
11	TECHNOLOGY, INC.
12 Detect: October 21, 2012 MELINDA HAAC	Dated: October 21, 2013 MELINDA HAAG
13	UNITED STATES ATTORNEY
14	By: /s/ John H. Hemann
15	JOHN H. HEMANN PETER B. AXELROD
16	Assistant United States Attorneys
17	Dated: October 21, 2013 By: /s/ Jerome J. Froelich, Jr.
18	JEROME J. FROELICH, JR.
19	Attorney for Defendant ROBERT J. MAEGERLE
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23 24	
25	[PROPOSED] ORDER
26	Although the parties' stipulation and for good cause shown, it is hereby ordered as Although the parties have not shown good cause for an extension of time by which motions in
27	fellows: limine would be due, the Court will grant their request for a one week extension. 1. The parties shall submit binders of their motions in limine and oppositions thereto
28	in accordance with paragraph 6(g) of the Court's Guidelines no later than November 22, 2013.
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JOINT STIPULATION AND [PROPOSED] ORDER REGARDING PRETRIAL SUBMISSIONS Case No. CR 11-0573-JSW (NC)

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1	2. The parties shall submit a list of summary exhibits and objections thereto to the
2	Court no later than December 11, 2013.
3	3. 2. The parties shall submit any factual or evidentiary stipulations to the Court no later
4	than December 6, 2013.
56	The Court will not grant the stipulation regarding the summary exhibits, because it does not provide the Court with sufficient time to consider those objections in advance of the pretrial conference. Dated: October 21, 2013 October 21, 2013 October 21, 2013
7	October 21, 2013 Unique Juffrey S. White udge, United States District Court
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