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United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

No. CR 11-00573-1 JSW
No. CR 11-00573-3 JSW
No. CR 11-00573-4 JSW

v.

WALTER LIEW, ROBERT MAEGERLE,
USA PERFORMANCE TECHNOLOGY,
INC.,
Defendants.

**ORDER RE ADMINISTRATIVE
MOTION IN LIMINE TO FILE
MORE THAN FIVE MOTIONS IN
LIMINE AND DIRECTING
PARTIES TO MEET AND
CONFER**

(Docket No. 532)

On November 1, 2013, Defendants Walter Liew (“Mr. Liew”), and USA Performance Technology, Inc. (“USAPTI”) filed a motion to file a total of ten motions in limine. In their motion, they suggest that Robert Maegerle (“Mr. Maegerle”) may join in some of these motions and may file some separate motions in limine. The Court issues this Order to clarify its Guidelines for Criminal Jury Trials.

The Court only allows five motions per “side,” not per Defendant. In addition, if a Defendant is going to “join” in a motion in limine, it must be a true joinder and may not contain additional legal argument that is specific to that Defendant. The Court would consider that a separate motion in limine. In addition, all Defendants, including Mr. Maegerle, must show good cause to exceed the Court’s five motion per side limitation.

Although the Court would be tentatively inclined to allow some additional motions in limine, it reserves ruling on whether Mr. Liew and USAPTI have made such a showing and whether all ten motions are necessary.

1 It is FURTHER ORDERED that the parties shall meet and confer on the subjects of the
2 motions in limine outlined in the administrative motion to determine whether all ten really will
3 be required, *i.e.* whether the Government would not oppose some of these motions. The parties,
4 including Mr. Maegerle, shall meet and confer by telephone by no later than November 8, 2013.
5 If they are unable to resolve this dispute, the Government shall file its opposition to the
6 administrative motion on November 12, 2013. The Court shall then deem the matter submitted
7 and issue its written ruling by no later than November 15, 2013.

8 **IT IS SO ORDERED.**

9 Dated: November 4, 2013



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

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