

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

**Time in Court: 5 hours 59 minutes**

**CRIMINAL JURY TRIAL MINUTES**

**JUDGE: JEFFREY S. WHITE**

**Court Reporter: JoAnn Bryce / Katherine Sullivan**

**DATE:** January 8, 2014

**Courtroom Deputy: Jennifer Ottolini**

**CASE NO. CR-11-573 (01) (03) (04) JSW**

**TITLE: UNITED STATES OF AMERICA v. WALTER LIEW (IC) (01)  
ROBERT MAERGERLE (03)  
USA PERFORMANCE TECHNOLOGY, INC. (04)**

**COUNSEL FOR GOVERNMENT:**

John Hemann  
Pete Axelrod  
Richard Scott

**COUNSEL FOR DEFENDANTS:**

Stuart Gasner / Simona Agnolucci (01) (04)  
Jerome Froelich (03)

**PROCEEDINGS: JURY TRIAL (Day 3)**

(SEE ATTACHED TRIAL LOG)

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Case No.: **CR-11-573 (1)(3)(4) JSW**Case Name: **UNITED STATES OF AMERICA v. WALTER LIEW, ET AL.,**

**TRIAL SHEET, EXHIBIT and WITNESS LIST**

<b>DISTRICT JUDGE:</b> JEFFREY S. WHITE	<b>GOVERNMENT ATTORNEYS:</b> John Hemann Pete Axelrod Richard Scott	<b>DEFENSE ATTORNEYS:</b> Stuart Gasner / Simona Agnolucci (01) (04) Jerome Froelich (03)
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<b>TRIAL DATE:</b> January 8, 2014	<b>REPORTER(S):</b> JoAnn Bryce / Katherine Sullivan	<b>Courtroom Deputy:</b> Jennifer Ottolini
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GOVT. NO.:	DEFT NO.:	TIME	ID	ADM	DESCRIPTION
		7:40 a.m.			Court convened. All counsel are present. Defendant Maegerle is present. Defendant Liew is present in custody. The jury is not present. Court and counsel discuss matters outside the presence of the jury.
		8:00 a.m.			The jury is now present. Opening statement on behalf of the Government is given to the jury by Mr. Hemann.
		9:05 a.m.			Opening statement on behalf of Defendant Liew is given to the jury by Mr. Gasner.
		9:45 a.m.			The jury is admonished. Court is in recess.
		10:00 a.m.			Court convened. All counsel are present. Defendant Maegerle is present. Defendant Liew is present in custody. The jury is not present. Defendant Maegerle, through Mr. Froelich, moved for mistrial.
		10:02 a.m.			Motion denied.
		10:03 a.m.			The jury is now present. Opening statement on behalf of Defendant Liew continued by Mr. Gasner.
		10:45 a.m.			Opening statement on behalf of Defendant Maegerle is given to the jury by Mr. Froelich.

Case No.: **CR-11-573 (1)(3)(4) JSW**Case Name: **UNITED STATES OF AMERICA v. WALTER LIEW, ET AL.,****EXHIBIT and WITNESS LIST**

Continued

GOVT. NO.:	DEFT. NO.:	TIME	ID	ADM	DESCRIPTION
		11:22 a.m.			The jury is admonished and Court is in recess.
		11:43 a.m.			Court convened. All counsel are present. Defendant Maegerle is present. Defendant Liew is present in custody. The jury is present. The Government called <b>ERIC BOZMAN</b> , who was sworn and testified under direct examination by Mr. Axelrod.
		11:57 a.m.			Cross examination of <b>ERIC BOZMAN</b> by Mr. Gasner.
	4000		X		FBI 302 dated 7-21-11
		12:46 p.m.			Re-direct examination of <b>ERIC BOZMAN</b> by Mr. Axelrod.
		12:49 p.m.			Witness is thanked and excused. The Government called <b>KIEU VU LEFEVRE</b> , who was sworn and testified under direct examination by Mr. Scott.
		12:57 p.m.			Cross examination of <b>KIEU VU LEFEVRE</b> by Ms. Lovett.
		12:58 p.m.			Witness is thanked and excused <b>KENNETH J. KARCH</b> , who was sworn and testified under direct examination of Mr. Axelrod.
		1:08 p.m.			Cross examination of <b>KENNETH J. KARCH</b> by Ms. Lovett.
4001			X		Surveillance Report date 7-19-11
		1:11 p.m.			Witness is thanked and excused.
		1:15 p.m.			The Court admonished the jury and court is in recess until January 9, 2014.