

1 MELINDA HAAG (CABN 132612)
United States Attorney
2
3 MIRANDA KANE (CABN 150630)
Chief, Criminal Division
4 PETER B. AXELROD (CABN 190843)
JOHN H. HEMANN (CABN 165823)
5 Assistant United States Attorneys

6 450 Golden Gate Ave., Box 36055
San Francisco, California 94102
7 Telephone: (415) 436-7200
8 Fax: (415) 436-7234
E-Mail: peter.axelrod@usdoj.gov

9 Attorneys for Plaintiff

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)
CHRISTINA LIEW,)
18 Defendants.)
19

No. CR 11-0573 JSW

STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME FROM
FEBRUARY 9, 2012 TO MARCH 8, 2012

20
21 The parties, by and through the undersigned counsel, hereby stipulate and agree as
22 follows:

23 1. On February 9, 2011, defendants Walter Liew and Christina Liew appeared before
24 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, a grand jury returned a fourteen-count superseding indictment charging Walter and

1 Christina Liew and others with economic espionage (18 U.S.C. § 1831), theft of trade secrets (18
2 U.S.C. § 1832), tampering (18 U.S.C. § 1512), and false statements (18 U.S.C. § 1001) offenses.
3 Further, the United States had previously produced 300 gigabytes of discovery, including
4 voluminous materials in the Chinese language.

5 2. At the hearing, the parties jointly requested that time be excluded between
6 February 9, 2012 and March 8, 2012 under the Speedy Trial Act (18 U.S.C. § 3161) on grounds
7 of complexity and for effective preparation of defense counsel. Specifically, the Court has
8 previously declared the case complex under 18 U.S.C. § 3161(h)(7)(B)(ii) – it involves charges
9 of economic espionage and theft of trade secrets related to a complicated industrial process, the
10 manufacture of titanium dioxide (TiO₂) through the chloride route, and it also involves a vast
11 array of documents in the Chinese language. Further, defense counsel will need additional time
12 to review the voluminous discovery, including foreign language documents, to effectively
13 prepare the defense.

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

16 SO STIPULATED.

17 DATED: 2/22/12

MELINDA HAAG
United States Attorney

/S/

18
19
20 _____
PETER B. AXELROD
JOHN H. HEMANN
Assistant United States Attorneys

21
22 DATED: 2/22/12

/S/

23
24 _____
TOM NOLAN
Counsel for Walter Liew

25 DATED: 2/22/12

/S/

26
27 _____
DORON WEINBERG
Counsel for Christina Liew

~~PROPOSED~~ ORDER

1
2 Based upon the parties' stipulation, the record in this case, including the information
3 presented at the February 9, 2012 hearing, and for good cause shown, the Court finds that, under
4 18 U.S.C. § 3161(h)(7)(B)(ii), the case is so complex that it is unreasonable to expect adequate
5 preparation for pretrial proceedings and for trial within the time limits set forth in 18 U.S.C. §
6 3161. The Court further finds that the ends of justice served by excluding the time between
7 February 9, 2012 and March 8, 2012 from computation under the Speedy Trial Act outweigh the
8 best interests of the public and the defendants in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

9 Therefore, IT IS HEREBY ORDERED that the time between February 9, 2012 and
10 March 8, 2012 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. §
11 3161(h)(7)(A) and (B)(ii).

12
13
14 DATED: February 23, 2012


JEFFREY S. WHITE
United States District Judge