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14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA  
 16 SAN FRANCISCO DIVISION

17 UNITED STATES OF AMERICA,

18 Plaintiff,

19 v.

20 WALTER LIEW, CHRISTINA LIEW, USA  
 21 PERFORMANCE TECHNOLOGY, INC.,  
 22 and ROBERT MAEGERLE,

23 Defendants.

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

25 **NOTICE REGARDING DEFENSE  
 26 THEORY OF THE CASE JURY  
 27 INSTRUCTION**

28 Place: Courtroom 11, 19th Floor

Dept.: Hon. Jeffrey S. White

1 In light of the Court's discussion at today's hearing as to the legal standard the Court  
2 would apply with respect to any suggested "theory of the defense" instruction, defendants Walter  
3 Liew and USAPTI have nothing further to add to the record.

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5 Dated: February 14, 2014

KEKER & VAN NEST LLP

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7 By: /s/ Stuart L. Gasner

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