

1 KEKER & VAN NEST LLP
 2 STUART L. GASNER - # 164675
 3 sgasner@kvn.com
 4 SIMONA A. AGNOLUCCI - # 246943
 5 sagnolucci@kvn.com
 6 KATHERINE M. LOVETT - # 276256
 7 klovett@kvn.com
 8 633 Battery Street
 9 San Francisco, CA 94111-1809
 10 Telephone: 415 391 5400
 11 Facsimile: 415 397 7188

12 Attorneys for Defendants WALTER LIEW and
 13 USA PERFORMANCE TECHNOLOGY, INC.

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, USA PERFORMANCE
 21 TECHNOLOGY, INC., and ROBERT
 22 MAEGERLE,

23 Defendants.

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

25 **DECLARATION OF KATHERINE M.
 26 LOVETT IN SUPPORT OF
 27 DEFENDANTS' SENTENCING
 28 MEMORANDUM AND REQUEST FOR
 EVIDENTIARY HEARING AND OTHER
 RELIEF**

Place: Courtroom 11, 19th Floor
 Dept.: Hon. Jeffrey S. White

PUBLIC REDACTED VERSION

1 I, KATHERINE M. LOVETT, declare and state that:

2 1. I am an attorney licensed to practice law in the State of California and am an
 3 associate with the law firm of Kecker & Van Nest LLP, located at 633 Battery Street, San
 4 Francisco, California 94111, counsel for defendants Walter Liew and USA Performance
 5 Technology, Inc. in the above-captioned action. I am admitted to practice law before this Court.
 6 Except where expressly stated, I have knowledge of the facts set forth herein, and if called to
 7 testify as a witness thereto, could do so competently under oath.

8 2. Attached hereto as **Exhibits A-T** are true and correct copies of letters supporting
 9 the Defendant, Walter Liew. The following is a list of those letters:

Exhibit Tab:	Letter of Support From:
A.	[REDACTED]
B.	[REDACTED]
C.	[REDACTED]
D.	[REDACTED]
E.	[REDACTED]
F.	[REDACTED]
G.	[REDACTED]
H.	[REDACTED]
I.	[REDACTED]
J.	[REDACTED]
K.	[REDACTED]
L.	[REDACTED]
M.	[REDACTED]
N.	[REDACTED]
O.	[REDACTED]
P.	[REDACTED]
Q.	[REDACTED]
R.	[REDACTED]
S.	[REDACTED]
T.	[REDACTED]

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26 3. Attached hereto as **Exhibit U** is a true and correct copy of the November 11, 2011
 27 Federal Bureau of Investigation Interview Memorandum of Timothy Spittler.
 28

1 4. Attached hereto as **Exhibit V** is a true and correct copy of the Declaration of
2 David R. Houston, dated April 18, 2014.

3 5. Attached hereto as **Exhibit W** is a true and correct copy of excerpts from the
4 videotaped deposition of Thongchai Thongthawee, dated December 9, 2013. The videotaped
5 deposition testimony was played in court for the jury on January 29, 2014.

6 6. Attached hereto as **Exhibit X** is a true and correct copy of the Declaration of Paul
7 Cooper Regarding Sentencing of Walter Liew, dated April 24, 2014.

8 7. Attached hereto as **Exhibit Y** are true and correct copies of various photographs
9 my colleague Christina Blais received from one of Walter Liew's nephews.

10 8. Attached hereto as **Exhibit Z** is a true and correct copy of a Bachelor of Science
11 degree conferred by National Taiwan University on Lian Heen Liew on June 14, 1980.

12 9. Attached hereto as **Exhibit AA** is a true and correct copy of a Master of Science
13 degree conferred on Lian Heen Liew on December 21, 1982.

14 10. Attached hereto as **Exhibit BB** is a true and correct copy of the U.S. Certificate of
15 Naturalization for Christina Liew, dated November 25, 1997.

16 11. Attached hereto as **Exhibit CC** is a true and correct copy of 2001 Income Tax
17 Returns for Walter and Christina Liew, Bates numbered H6-2001-000122.

18 12. Attached hereto as **Exhibit DD** is a true and correct copy of 2002 Income Tax
19 Returns for Walter and Christina Liew, Bates numbered H6-2002_Tax_Returns-000001 - H6-
20 2002_Tax_Returns-000020.

21 13. Attached hereto as **Exhibit EE** is a true and correct copy of 2003 Income Tax
22 Returns for Walter and Christina Liew, Bates numbered H6-2003_Tax_Returns-000001 - H6-
23 2003_Tax_Returns-000006.

24 //

25 //

26 //

27

28

1 I declare under penalty of perjury under the laws of the United States that the foregoing is
2 true and correct to the best of my knowledge, and that this declaration was executed on June 17,
3 2014, at San Francisco, California.

4
5 /s/ Katherine M. Lovett
6 KATHERINE M. LOVETT
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28