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ATTORNEY FOR DEFENDANT
JASON SIEGFRIED

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

UNITED STATES OF AMERICA,)	Case No. 2:12-cr-00198--MCE
)	
PLAINTIFF,)	STIPULATION BETWEEN THE PARTIES TO
)	CONTINUE THE STATUS CONFERENCE TO
v.)	THURSDAY, APRIL 24, 2014 WITH
)	EXCLUSION OF TIME FROM THE SPEEDY
STEVEN ORTEGA, et al.,)	TRIAL ACT AND PROPOSED ORDER
)	
)	
DEFENDANTS.)	
)	
)	

The parties to this litigation, the United States of America, represented by Assistant
United States Attorney, Michael D. Anderson, and for the defendants:

1- Benjamin D. Galloway representing Steven Ortega, Sr.; 2- Randy Sue Pollock
representing Steven Ortega, Jr.; 3- Shari Rusk representing Marla Ortega; 4- Dina L. Santos
representing Matt Ortega; 6- Hayes H. Gable, III, representing Anthony Giarrusso; 7- Thomas

Johnson representing Jay Dupee; 8- William E. Bonham representing Brock Enrico; 9- Michael B. Bigelow representing Todd Becerra; 10- William J. Portanova representing Steven Adgate; 11- Danny D. Brace, Jr. representing Bryan Swiers; 12- Clemente M. Jimenez representing Kyle Schmidt; 13- Candace A. Fry representing Dusty Burge; 14- Gregory W. Fox representing Charles Erickson; 15- Olaf W. Hedberg representing Travis Olibas; 16- David D. Fischer representing Jake Westerman; 17- Scott N. Cameron representing Justin McMillian; 19- Carl E. Larson representing Frederick Laurens; 21- Darryl A. Stallworth representing Richard Serrell; 22- Robert J. Saria representing Kevin Kuester; 23- Russell S. Humphrey representing Derek Winters; 24- Clyde M. Blackmon representing Richard Reynolds; 25- Michael Jason Lawley representing Nickolas Perry; 26- Scott A. Sugarman representing Joseph Mirante; 27- James A. Bustamante representing Kevin Kirkpatrick; 28- Philip A. Schnayerson representing Reginald Bell; 29- Michael E. Hansen representing Michael Kelly; 30- Michael J. Aye representing Joseph Figlia 31- James J. Clark representing Robert Kennedy; 32- Omar Figueroa representing Nicholas Ojeda and 20- James R. Greiner representing Jason Siegfried, hereby agree and stipulate to the following¹:

1- By previous order, this matter was set for status on Thursday, January 30, 2014, see docket number 414.

2. By this Stipulation, the defendants collectively² now move to continue the status conference until Thursday, April 24, 2014 and to exclude time pursuant to the Speedy Trial Act between Thursday, January 30, 2014 and Thursday, April 24, 2014, under Local Codes T-2 (complexity) and T-4 (time for adequate attorney preparation). The government has

¹ The government requested that the format presented in this stipulation be used by the parties.

² Defendant Marcus Williams represented by attorney Tim Pori, has NOT joined this agreement and stipulation and thus should remain on the Court's calendar.

1 produced more discovery in this case and does not oppose this request. In addition, attorney
2 Michael Jason Lawley was recently appointed on June 12, 2013 to represent defendant Nickolas
3 Perry (see Docket # 385) and attorney Benjamin D. Galloway was recently appointed on
4 December 27, 2012 (see docket #351) to represent Steven Ortega, Sr., and both attorneys need
5 additional time to review the voluminous amount of discovery in this case.
6

7 3. The parties³ agree and stipulate to the following and request the Court
8 to find the following:
9

10 a. The government has produced discovery to date which consists of 5
11 (five) discovery CD's labeled Discovery Disk 1, 2, 3, 4 and 5 and 6 (six) wire tape CD's labeled
12 TT1, TT2, TT3, TT4, TT5 and TT6. The government has also made available for copying onto
13 an external hard drive the pole camera evidence which defense counsel has obtained for
14 reviewing with their respective clients. The government requested defense counsel to supply an
15 external hard drive with 3 TB of capacity to accommodate the enormous volume of video taped
16 recordings.
17

18 b. The government by way of letter dated November 30, 2012, addressed
19 to all defense counsel, produced the following additional discovery contained on 4 (four) CD's:
20 BATES numbers DD-007532 to DD-007570; Bates number DD-7571 (reproduction of wiretap -
21 TT#1); Bates number DD-007572 (reproduction of wiretap- TT#2); Bates number DD-007573
22 (reproduction of wiretaps - TT#3, tt#4, TT#5, and TT#6).
23

24 c. Counsel for all defendants⁴ need additional time, in addition to the two
25 recently appointed attorneys (Lawley, June 12, 2013, and Galloway, December 27, 2012), to
26

27
28 ³ Except for Defendant Marcus Williams, represented by attorney Tim Pori who has NOT joined this agreement and stipulation to continue the case.

1 review all of the discovery which includes the additional discovery, review the all the discovery
2 with their respective clients, to conduct investigation into this case, do research, which includes
3 legal research, in this case, and to otherwise do review and investigation, using due diligence,
4 that this complex case requires.
5

6 d. Counsel for all defendants⁵ represents that the failure to grant the above
7 requested continuance would deny counsel for each individual defendant the reasonable time
8 necessary for effective preparation, taking into account the exercise of due diligence.
9

10 e. The government, based on all of the above, does not object to the
11 continuance.

12 f. Based on the above stated findings, the ends of justice served by
13 continuing the case as requested outweigh the interest of the public and all the defendants in a
14 trial within the original date prescribed by the Speedy Trial Act.
15

16 g. For the purpose of computing the time under the Speedy Trial Act, Title
17 18 U.S.C. section 3161, et seq., within which trial must commence, the time period from
18 Thursday, January 30, 2014 to Thursday, April 24, 2014, inclusive, is deemed excludable
19 pursuant to Title 18 U.S.C. section 3161(h)(7)(A, (B)(ii) and (iv) corresponding to Local Codes
20 T-2 and T-4, because it results from a continuance granted by the Court at defendants' request on
21 the basis of the Court's finding that the ends of justice served by taking such action outweigh the
22 best interest of the public and all of the defendants in a speedy trial.
23
24
25
26

27 ⁴ Except for defendant Marcus Williams represented by attorney Tim Pori
who has not joined this agreement and stipulation to continue the case.

28 ⁵ Except for defendant Marcus Williams represented by attorney Tim Pori
who has not joined this agreement and stipulation to continue the case.

1 4. Nothing in this stipulation and order shall preclude a finding that other provisions of
2 the Speedy Trial Act dictate that additional time periods are excludable from the period within
3 which a trial must commence.
4

5 IT IS SO STIPULATED.

6 Each attorney has granted James R. Greiner full authority to sign for each
7 individual attorney.

8 Respectfully submitted:

9
10 BENJAMIN B. WAGNER
UNITED STATES ATTORNEY

11 DATED: 1-22-14 /s/ Michael D. Anderson

12
13 Michael D. Anderson
ASSISTANT UNITED STATES ATTORNEY
ATTORNEY FOR THE PLAINTIFF

14 DATED: 1-22-14 /s/ Benjamin D. Galloway

15
16 Benjamin D. Galloway
Attorney for Defendant
1- Steven Ortega, Sr.

17 DATED: 1-22-14 /s/ Randy Sue Pollock

18
19 Randy Sue Pollock
Attorney for Defendant
2- Steven Ortega, Jr.

20 DATED: 1-22-14 /s/ Shari Rusk

21
22 Shari Rusk
Attorney for Defendant
3- Marla Ortega
23
24
25
26
27
28

1 DATED: 1-22-14 /s/ Dina L. Santos

2 _____
3 Dina L. Santos
4 Attorney for Defendant
4- Matt Ortega

5 DATED: 1-22-14 /s/ Hayes H. Gable, III

6 _____
7 Hayes H. Gable, III
8 Attorney for Defendant
6- Anthony Giarrusso

8 DATED: 1-22-14 /s/ Thomas Johnson

9 _____
10 Thomas Johnson
11 Attorney for Defendant
7- Jay Dupee

12 DATED: 1-22-14 /s/ William E. Bonham

13 _____
14 William E. Bonham
15 Attorney for Defendant
8- Brock Enrico

16 DATED: 1-22-14 /s/ Michael B. Bigelow

17 _____
18 Michael B. Bigelow
19 Attorney for Defendant
9- Todd Becerra

19 DATED: 1-22-14 /s/ William J. Portanova

20 _____
21 William J. Portanova
22 Attorney for Defendant
10- Steven Adgate

23 DATED: 1-22-14 /s/ Danny D. Brace, Jr.

24 _____
25 Danny D. Brace, Jr.
26 Attorney for Defendant
11- Bryan Swiers

1 DATED: 1-22-14 /s/ Clemente M. Jimenez

2
3 Clemente M. Jimenez
4 Attorney for Defendant
12- Kyle Schmidt

5 DATED: 1-22-14 /s/ Candace A. Fry

6
7 Candace A. Fry
8 Attorney for Defendant
13- Dusty Burge

9 DATED: 1-22-14 /s/ Gregory W. Fox

10
11 Gregory W. Fox
12 Attorney for Defendant
14- Charles Erickson

13 DATED: 1-22-14 /s/ Olaf W. Hedberg

14
15 Olaf W. Hedberg
16 Attorney for Defendant
15- Travis Olibas

17 DATED: 1-22-14 /s/ David D. Fischer

18
19 David D. Fischer
20 Attorney for Defendant
16- Jake Westerman

21 DATED: 1-22-14 /s/ Scott N. Cameron

22
23 Scott N. Cameron
24 Attorney for Defendant
17-Justin McMillian

25 DATED: 1-22-14 /s/ Carl E. Larson

26
27 Carl E. Larson
28 Attorney for Defendant
19- Frederick Laurens

1 DATED: 1-22-14 /s/ Darryl A. Stallworth

2 _____
3 Darryl A. Stallworth
4 Attorney for Defendant
21- Richard Serrell

5 DATED: 1-22-14 /s/ Robert J. Saria

6 _____
7 Robert J. Saria
8 Attorney for Defendant
22- Kevin Kuester

9 DATED: 1-22-14 /s/ Russell S. Humphrey

10 _____
11 Russell S. Humphrey
12 Attorney for Defendant
23-Derek Winters

13 DATED: 1-22-14 /s/ Clyde M. Blackmon

14 _____
15 Clyde M. Blackmon
16 Attorney for Defendant
24- Richard Reynolds

17 DATED: 1-22-14 /s/ Michael Jason Lawley

18 _____
19 Michael Jason Lawley
20 Attorney for Defendant
25- Nickolas Perry

21 DATED: 1-22-14 /s/ Scott A. Sugarman

22 _____
23 Scott A. Sugarman
24 Attorney for Defendant
26- Joseph Mirante

25 DATED: 1-22-14 /s/ James A. Bustamante

26 _____
27 James A. Bustamante
28 Attorney for Defendant
27- Kevin Kirkpatrick

1 DATED: 1-22-14 /s/ Philip A. Schnayerson

2 _____
3 Philip A. Schnayerson
4 Attorney for Defendant
28- Reginald Bell

5 DATED: 1-22-14 /s/ Michael E. Hansen

6 _____
7 Michael E. Hansen
8 Attorney for Defendant
29-Michael Kelly

9 DATED: 1-22-14 /s/ Michael J. Aye

10 _____
11 Michael J. Aye
12 Attorney for Defendant
30- Joseph Figlia

13 DATED: 1-22-14 /s/ James J. Clark

14 _____
15 James J. Clark
16 Attorney for Defendant
31- Robert Kennedy

17 DATED: 1-22-14 /s/ Omar Figueroa

18 _____
19 Omar Figueroa
20 Attorney for Defendant
32- Nicholas Ojeda

21 DATED: 1-22-14 /s/ James R. Greiner


22 _____
23 James R. Greiner
24 Attorney for Defendant
25 20- Jason Siegfried
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27
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ORDER

Pursuant to the parties' stipulation, the status conference in this case currently scheduled for January 30, 2014, is HEREBY VACATED and continued to April 24, 2014, at 9:00 AM in Courtroom 7.

IT IS SO ORDERED.

Dated: January 29, 2014



MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT