McGREGOR W. SCOTT
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IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. JOHN THAT LUONG, et al., Defendants.	CR No. S-96-350 WBS **STIPULATION AND ORDER**

The United States of America, through its counsels of record, McGregor W. Scott, United States Attorney for the Eastern District of California, and William S. Wong, Assistant United States Attorney; and defendant Mady Chan, Pro Se and with his standby counsel, Timothy Warriner, Esq.; defendant Huy Chi Luong, through his counsel John Balazs, Esq.; and defendant John That Luong, through his counsel, Richard Mazer, Esq., stipulate and agree to the following revised motion schedule:

1. Government's response to defendants' motions to be filed on December 30, 2005;

2. Defendants' reply, if any, to be filed by January 11, 2006; and

3. Hearing on the motions January 25, 2006, at 10:00 a.m.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

The government needs additional time to research and prepare its responses to the defendants' motions. During the last few weeks, counsel for the government has had a pinched nerve in his neck resulting in pain radiating to his left shoulder requiring time on sick leave. Furthermore, counsel for the government is currently preparing for a three-four week jury trial in the matter of United States v. Slater, et al., CR-S-03-0371 MCE. Accordingly, the parties stipulate that time be excluded for the pendency of these motions pursuant to 18 U.S.C. §3161(h)(1)(F)- delay resulting from any pretrial motion and 18 U.S.C. §3161(h)(8)(B)(ii) - additional time needed to adequately prepare for pretrial proceedings.

Respectfully submitted,

McGREGOR W. SCOTT
United States Attorney

DATED: November 16, 2005 By: /s/ William S. Wong
WILLIAM S. WONG
Assistant U.S. Attorney
Attorneys for Plaintiff

DATED: November 16, 2005 By: /s/ Richard Mazer
Richard Mazer, Esq., Attorney
for Defendant John That Luong

DATED: November 15, 2005 By: /s/ John Balazs
John Balazs, Esq., Attorney
For Defendant Huy Chi Luong

DATED: November 15, 2005 By: /s/ Timothy Warriner
Timothy Warriner, Esq., Standby
Advisory Attorney for Defendant
Mady Chan

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ORDER

IT IS SO ORDERED.

DATED: November 18, 2005

WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE BY MAIL

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Eastern District of California and is a person of such age and discretion to be competent to serve papers.

That on November ____, 2005, she served a copy of the attached COURT **STIPULATION AND ORDER** by placing said copy in United States mail to the persons hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the outgoing United States mail box at 801 I Street, 10th Floor, Sacramento, California.

Addressee:

Mady Chan, X-2405573
Sacramento County Jail
651 I Street
Sacramento, CA 95814

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LORI WHITMER