McGREGOR W. SCOTT
United States Attorney
WILLIAM S. WONG
JASON HITT
Assistant U.S. Attorneys
501 I Street, Ste 10-100
Sacramento, CA 95814
Telephone (916) 554-2790

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA Plaintiff, v. HUY CHI LUONG, et al., Defendants.	Case No. CR-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 and Jason Hitt, Assistant United States Attorneys; defendant Huy Chi Luong, through his counsel John Balazs, and defendant Danny Hung Leung, through his counsel Scott L. Tedmon; stipulate and agree to the following revised trial date and exclusion of time under the Speedy Trial Act:

1. The current trial date is set for August 15, 2006, at 9:00 a.m.;

2. The parties stipulate and agree that the trial date of August 15, 2006, should be vacated; and

3. The parties stipulate and agree that a new trial date of September 6, 2006, at 1:30 p.m. should be set.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Counsel for the government and the defendant need additional time to resolve a pending motion for bill of particulars filed by defendant Huy Chi Luong, interview witnesses both sides anticipate calling at trial, research and prepare pretrial filings, including, but not limited to, motions in limine, jury instructions, trial briefs. Accordingly, the parties stipulate that time be excluded up to, and including September 6, 2006, for the pendency of this motion 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 to adequately prepare for pretrial proceedings.

Respectfully submitted,

McGREGOR W. SCOTT
United States Attorney

DATED: July 14, 2006

By: /s/ Jason Hitt
JASON HITT
WILLIAM S. WONG
Assistant U.S. Attorneys

DATED: July 14, 2006

By: /s/ John Balazs
JOHN BALAZS for defendant
Huy Chi Luong

DATED: July 14, 2006

By: /s/ Scott Tedmon
SCOTT TEDMON for defendant
Danny Hung Leung

ORDER

For the reasons set forth above, the trial of August 15, 2006, is hereby VACATED. The trial date is reset to September 6, 2006, at 1:30 p.m. The trial confirmation and hearing on motions in limine is reset from August 2, 2006 to August 23, 2006 at 9:00 a.m. The Court finds time should be excluded under the Speedy Trial Act up to, and including, September 6, 2006, for the reasons set forth in the stipulation of the parties.

DATED: July 25, 2006

WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE