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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

I CHING CHU,

Defendant.

Case No. CR 06-0428 SI

**STIPULATION AND [PROPOSED]
ORDER CONTINUING COURT DATE**

Date: June 6, 2008
Time: 11:00 a.m.
Court: Hon. Susan Illston, Courtroom 10

STIPULATION

Defendant I Ching Chu, by and through Mary McNamara, and the United States, by and through Assistant United States Attorney Andrew Scoble, hereby stipulate and agree as follows:

1) The parties are scheduled to appear before this Court on June 6, 2008 for withdrawal of Mr. Chu's plea and for entry of a plea to an alternate charge.

2) The parties have been informed by United States Probation Officer Benjamin Flores that, despite a pre-plea report indicating otherwise, Mr. Chu is not eligible for the safety valve under U.S.S.G. § 5C1.2. Because eligibility for the safety valve is a condition of Mr. Chu's plea agreement, the parties agree that it is necessary for Mr. Chu to withdraw his plea in order for the parties to renegotiate.

3) The government and the defense are in the process of negotiating the terms of a new plea agreement. The parties agree that additional time is required for this process and to obtain the necessary approvals from the United States Attorney's Office.

