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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

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United States of America,

No. CV 08-1778-PHX-DGC (ECV)

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Plaintiff/Respondent,

No. CR 02-1170-PHX-DGC

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v.

**ORDER**

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Moustapha Lotfi Eljammal,

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Defendant/Movant.

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Pursuant to motion by the government (Dkt. #25), and without objection by defense counsel,

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**IT IS ORDERED** that the government's motion (Dkt. #25) is **granted**. The evidentiary hearing set for **February 23, 2010 at 9:00 a.m.** is **VACATED** and **RESET** to **April 20, 2010 at 1:00 p.m.** The Court will set aside three hours for the hearing, although it is likely to take less time. As the question to be addressed is the nature of the discussions between Eljammal and his counsel, William Foreman, on the pre-conviction plea negotiations, the government should be prepared to call Mr. Foreman to testify and to present other evidence in support of its position, and counsel for Mr. Eljammal should be prepared to call Mr. Eljammal to testify and to present other evidence in support of his position. If counsel have questions or concerns about the hearing, they should place a joint conference call to the Court.

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DATED this 9th day of February, 2010.

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David G. Campbell  
United States District Judge