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9 **IN THE UNITED STATES DISTRICT COURT FOR THE**
 10 **NORTHERN DISTRICT OF CALIFORNIA**
 11 **SAN FRANCISCO DIVISION**

12	UNITED STATES OF AMERICA,)	Case No. C-07-2930-SI
13	Plaintiff,)	
14	v.)	
15	WILLIAM C. BERETTA, et al. ,)	<u>STIPULATION TO CONTINUE PRETRIAL</u>
16	Defendants.)	<u>AND TRIAL DATES AND [proposed] ORDER</u>

17 For the reason that plaintiff United States and defendants William C. Beretta and Jennifer
 18 Beretta need additional time to complete their good faith efforts to resolve this matter, the parties seek
 19 a continuance of the pretrial and trial dates. This additional time is necessary as settlement is unusually
 20 difficult due to the amount of the United States' claim and the nature of the asset from which collection
 21 from the Berettas is sought. Immediate settlement of the matter is further complicated as the
 22 Department of Justice officials in Washington, D.C., who must approve the settlement of the United
 23 States' interests, are in a period of transition between administrations. Accordingly, the parties believe
 24 it is in their best interests to continue this matter so that their good faith settlement efforts may be
 25 completed in a manner and at a time most advantageous for settlement.

26 Accordingly, it is hereby stipulated by and between plaintiff, United States of America, and
 27 defendants, William C. Beretta, Jennifer Beretta, and Max Day, through their respective counsel, that

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1 pretrial and trial dates be continued to a time after February, 23, 2009, except for the week of March 2,
2 2009.

3 The parties further stipulate that in the event they are unable to reach settlement by February 5,
4 2009, they will contact Magistrate Judge Laporte at that time and obtain a settlement conference with
5 her, at her earliest available date.

6 JOSEPH P. RUSSONIELLO
7 United States Attorney

8 /s/ Richard Daly
9 RICHARD DALY
10 Attorney for Defendants,
11 William C. Beretta and Jennifer Beretta

/s/ Thomas Moore
THOMAS MOORE
Assistant United States Attorney
Attorneys for Plaintiff

11 /s/ Ray Cox
12 RAY COX
13 Attorney for Defendant-Max Day

14 **PURSUANT TO STIPULATION, IT IS ORDERED AS FOLLOWS:**

- 15 1) The pretrial conference shall be continued to 3/10/09 @ 3 :30 p.m.:
- 16 2) The trial shall be continued to 3/23/09 @ 8:30 a.m..

17 Dated: _____

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19 UNITED STATES DISTRICT COURT
20 *Susan Blanton*