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8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**
 10 **SAN FRANCISCO DIVISION**

11 UNITED STATES OF AMERICA)
 12 Plaintiff,)
 13 v.)
 14 APPROXIMATELY \$61,383.00 IN)
 UNITED STATES CURRENCY,)
 15 Defendant.)
 16 _____)
 17 TOAN HOANG, QUE NGO, JULIE LUU,)
 18 Claimants.)
 19 _____)

Nos. C-08-0826 MMC

**STIPULATION AND PROPOSED
 ORDER CONTINUING CMC**

~~CMC Date: April 2, 2010~~
 Time: 10:30 a.m.

Courtroom 7, 19th Floor

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 21 Counsel for claimants is presently in trial on felony child molest charges in People v.
 22 Mickle, Shasta County Superior Court No. 08-07303. When the CMC in the instant matter was
 23 scheduled no conflict was anticipated because normally the trial court does not have trial on
 24 Fridays. However, at the end of court yesterday, the state trial court indicated it is considering
 25 having trial this Friday, April 2, 2010. It is anticipated that the case will go to the jury the
 26 afternoon of Thursday, April 1, 2010. If it does, the court may allow the jury to deliberate on
 27 Friday. If the jury is allowed to deliberate on Friday, April 2, 1010, counsel for claimants will
 28 be unavailable for the CMC in the instant matter because he will have to be present be in
 Redding, California during deliberations. The trial court did not make a final ruling, however,

1 and counsel will likely not know his availability on Friday until the end of court on Thursday,
2 April 1, 2010.

3 In order to avoid counsel's last minute unavailability, IT IS THEREFORE
4 STIPULATED by and between the parties that the CMC in this matter may be continued to April
5 30, 2010 (or any Friday after that convenient to the court).

6 SO STIPULATED.

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8 JOSEPH P. RUSSONIELLO
9 United States Attorney

10 Dated: March 31, 2010

/S/
SUSAN B. GRAY
Assistant United States Attorney

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12 Dated: March 31, 2010

/S/
ERIK BABCOCK
Attorney for Claimants
Toan Hoang, Que Ngo and Julie Luu

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18 GOOD CAUSE APPEARING, IT IS SO ORDERED. Specifically, the Case Management
19 Conference is CONTINUED to April 30, 2010. No further Case Management Statement is
required.

20 Dated: March 31, 2010


Hon. Maxine M. Chesney
U.S. DISTRICT JUDGE

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