

1 BRIAN J. STRETCH (CABN 163973)
Acting United States Attorney

2 IOANA PETROU (CABN 170834)
3 JONATHAN D. SCHMIDT (CABN 230646)
Assistant United States Attorneys

4 450 Golden Gate Avenue, Box 36055
5 San Francisco, California 94102
6 Telephone: (415) 436-7189
7 Facsimile: (415) 436-7234
ioana.petrou@usdoj.gov
jonathan.schmidt@usdoj.gov

8 SONDRA L. MILLS (DCBN 367463)
9 ALLAN GORDUS (MOBN 48210)
Trial Attorneys

10 DOJ Office of Consumer Litigation
11 Liberty Square Building
450 5th Street, NW, Sixth Floor South
12 Telephone: (202) 616-2375
13 FAX: (202) 514-8742
sondra.mills@usdoj.gov
allan.gordus@usdoj.gov

14 Attorneys for Plaintiff

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 UNITED STATES OF AMERICA,) CR No. 08-0164 MHP
19 Plaintiff,)
20 v.) STIPULATION AND ~~[PROPOSED]~~ ORDER
21 W. SCOTT HARKONEN,) EXCLUDING TIME
22 Defendant.)
23 _____)

24 On September 15, 2008, the parties in this case appeared before the Honorable District
25 Court Judge Marilyn H. Patel for further status conference. The parties stipulated that time
26 should be excluded from the Speedy Trial Act calculations from September 15, 2008 to March 5,
27 2009, at which time the parties are scheduled to appear for a hearing on first round pretrial
28

1 motions.

2 The parties represented that granting the continuance was necessary for effective preparation
3 of counsel given the complexity of the case, nature of the prosecution, and voluminous
4 discovery, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(A) and
5 (B)(ii).

6 SO STIPULATED:

7 BRIAN J. STRETCH
8 Acting United States Attorney

9 DATED: September 15, 2008

10 /s/
11 IOANA PETROU
12 Assistant United States Attorney

13 DATED: September 15, 2008

14 /s/
15 WILLIAM M. GOODMAN
16 Attorney for W. Scott Harkonen

17 As the Court found on September 15, 2008, and for the reasons stated above, the Court
18 finds that the ends of justice served by the continuance outweigh the best interests of the public
19 and the defendant in a speedy trial and that time should be excluded from the Speedy Trial Act
20 calculations from September 15, 2008 to March 5, 2009 for effective preparation of counsel.
21 See 18 U.S.C. §3161(h)(8)(A). The failure to grant the requested continuance would deny
22 counsel reasonable time necessary for effective preparation, taking into account the complexity
23 of the case and nature of the prosecution, and would result in a miscarriage of justice. See 18
24 U.S.C. §3161(h)(8)(B)(ii).

25 SO ORDERED.

26 DATED: 9/18/2008

27 Honorable
28 District Judge Marilyn H. Patel

