

Karen L. Hawkins (SBN 88601)
 Brett L. Gibbs (SBN 251000)
 Taggart & Hawkins P.C.
 1901 Harrison Street, Suite 1600
 Oakland, CA 94612-3501
 (510) 893-9999

Attorneys for Douglas R. Caraway

IN THE UNITED STATES DISTRICT COURT FOR THE
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DOUGLAS R. CARAWAY, et al.

Defendant.

No. C-08-04371-MMC

STIPULATION AND REQUEST FOR
 RESCHEDULING OF CASE
 MANAGEMENT CONFERENCE;
 ORDER THEREON

Plaintiff United States of America and Defendants Douglas R. Caraway (“Caraway”), Franchise Tax Board (“FTB”), and Employment Development Department (“EDD”), through their respective counsel, stipulate and request that the case management conference, currently scheduled for April 10, 2009, at 10:30 a.m. in Courtroom 7, be rescheduled to July 10, 2009, at 10:30 a.m. in Courtroom 7.

The parties have met and conferred with respect to all issues in this case. Defendant Caraway previously failed to file income tax returns with the state of California and with the Internal Revenue Service (“IRS”) for the years 1998 (FTB only), 1999 through and including 2004. Plaintiff United States prepared substitutes for returns (“SFR’s”) with respect to each of those years based upon income information available to it, and made tax assessments pursuant to the SFR’s. Defendants FTB and EDD have recorded state tax liens against Defendant Caraway for tax liabilities believed to be due.

1 Defendant Caraway has delivered to the Franchise Tax Board and to the Internal Revenue
2 Service California and federal income tax returns the years 1998 (FTB only), 1999 through 2004,
3 inclusive. These returns were prepared by a paid tax preparer and show a substantial reduction in
4 taxes potentially owed to both agencies. Both agencies will assign these returns for review by
5 someone in their examination divisions. Once the balances due on each return are confirmed, or
6 revisions are proposed during the process of the examination, the parties believe modifications to
7 the amounts of judgments sought for unpaid California and federal income tax liabilities will be
8 made. At that time, Defendant Caraway will stipulate to the modified tax liabilities and make
9 arrangements with the tax authorities for payment.

10 The reason for rescheduling the April, 2009 Case Management Conference is to allow time
11 for the tax agencies' examination personnel to review and accept, or propose modifications to, the
12 returns prepared by Defendant Caraway's tax preparer

14 DATED 3/30/09

/S/ David L. Denier
JOSEPH P. RUSSONIELLO
United States Attorney
DAVID L. DENIER
Assistant United States Attorney
Tax Division
Attorneys for Plaintiff United States of America

19 DATED: 3/30/09

/S/ Karen L. Hawkins
TAGGART & HAWKINS P.C.
KAREN L. HAWKINS
Attorneys for Defendant Douglas R. Caraway

22 DATED: 3/30/09

/S/ Karen W. Yiu
EDMUND G. BROWN JR.
Attorney General of California
JOYCE E. HEE
Supervising Deputy Attorney General
KAREN W. YIU
Deputy Attorney General
Attorneys for Defendants Franchise Tax Board
and Employment Development Department

ORDER

PURSUANT TO STIPULATION, THE CASE MANAGEMENT CONFERENCE IN THIS CASE
is hereby

~~SHALL BE~~ RESCHEDULED FOR JULY 10, 2009, 10:30 A.M., COURTROOM 7.

IT IS SO ORDERED.

Dated: March 31, 2009



UNITED STATES DISTRICT JUDGE