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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION
14

15 SECURITIES AND EXCHANGE COMMISSION, No. CV 08 80189 MISC WHA

16 Applicant,

17 vs.

18 CHARLES ADAMS,

19 Respondent.

**STIPULATION AND [PROPOSED] ORDER
TO VACATE THE DATE FOR HEARING
PLAINTIFF'S APPLICATION TO
COMPEL COMPLIANCE WITH
ADMINISTRATIVE SUBPOENAS**

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22 Plaintiff Securities and Exchange Commission and Respondent Charles Adams (the
23 "Parties"), by and through their respective counsel, respectfully submit this stipulation for the Court's
24 approval:

25 WHEREAS, the Court has ordered a hearing on October 30, 2008 on the Securities and
26 Exchange Commission's Application for an Order Compelling Compliance with Administrative
27 Subpoenas.

28 Stipulation and [Proposed] Order to Vacate Hearing Date 1
on Pl. App. to Compel Compliance with Administrative
Subpoenas

1 WHEREAS, Respondent, through counsel, appeared for sworn testimony on October 21,
2 2008, during which he invoked his Fifth Amendment right against self-incrimination.

3 THEREFORE, the Parties stipulate and agree, and respectfully request the Court, to vacate
4 the October 30, 2008 hearing on the Commission's application.

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6 IT IS SO STIPULATED:

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8 Dated: 10/28/2008

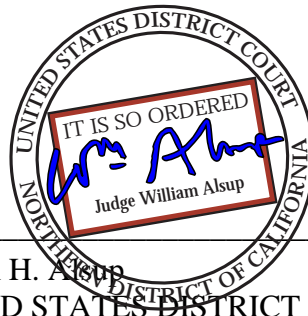
/s/ Susan Fleischmann
Susan Fleischmann, Esq.
SECURITIES AND EXCHANGE COMMISSION

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10 Dated: 10/28/2008

/s/ Allan M. Lerner
Allan M. Lerner, Esq.
LAW OFFICES OF ALLAN M. LERNER, P.A.

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15 IT IS SO ORDERED:

16 Dated: October 29, 2008



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18 William H. Alsup
UNITED STATES DISTRICT JUDGE