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 11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 13 SAN FRANCISCO DIVISION  
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15 SECURITIES AND EXCHANGE COMMISSION,  
 16 Plaintiff,  
 17 v.  
 18 MAHER F. KARA, MICHAEL F. KARA,  
 EMILE Y. JILWAN, BASSAM Y. SALMAN, and  
 19 KARIM I. BAYYOUK,  
 20 Defendants.

Case No. 09-CV-1880 EMC

JOINT CMC STATEMENT AND  
 STIPULATED REQUEST TO  
 CONTINUE CASE MANAGEMENT  
 CONFERENCE

[~~PROPOSED ORDER~~]

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 22 By Order of this Court dated July 7, 2011, this matter is currently set for a Case  
 23 Management Conference on August 19, 2011. The parties request that this Conference be  
 24 continued until September 30, 2011.

25 Three of the defendants in this case are also subject to pending criminal charges in a  
 26 related criminal action pending before the Court. Two of these defendants, Maher Kara and  
 27 Michael Kara (named as Mounir Kara in the indictment) changed their pleas to guilty on July 7  
 28 and July 13, 2011. The third defendant in this case also subject to criminal charges, Emile

1 Jilwan, is set to appear before this Court for a Status Conference and Trial and Motions Setting  
2 Conference on September 7, 2011.

3 In light of the guilty pleas of Maher Kara and Michael Kara, counsel for the Commission  
4 and these defendants are discussing potential resolution of the Commission's claims against  
5 them. After September 7, 2011, the parties will be in a better position to discuss the posture of  
6 this case and propose a discovery schedule for the remaining claims and defendants.

7 Accordingly, the parties to this civil action request that the Court continue the Case  
8 Management Conference in this case to September 30, 2011.

9 **A. STATUS OF THE CASE**

10 Three of the defendants in this civil action are also defendants in a related criminal case,  
11 United States v. Maher Fayez Kara, et al., Case No. 09- CR-0417 EMC. The criminal indictment  
12 contains factual allegations also alleged in the Commission's civil action. No trial dates have  
13 been set for either the related criminal case or this civil action.

14 Discovery is underway in the civil case, and the Commission has produced documents  
15 obtained during its investigation, pursuant to initial disclosure obligations and defendants'  
16 document requests, and defendants have responded to the document requests served by the  
17 Commission. Discovery had previously been stayed pursuant to order of the Court.

18 Since the last status conference statement submitted to the Court on June 20, 2011, two of  
19 the defendants, Maher Kara and Michael Kara, have pled guilty to criminal charges related to the  
20 same insider trading allegations contained in the Commission's enforcement action.

21 **B. STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE**

22 The parties agree that the Case Management Conference should be continued by 42 days,  
23 until September 30, 2011.

24 Dated: August 12, 2011

25 /s/ Lloyd Farnham \_\_\_\_\_  
26 LLOYD FARNHAM  
27 Attorney for Plaintiff  
28 SECURITIES AND EXCHANGE COMMISSION

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/s/ George C. Harris  
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/s/ Ismail Ramsey  
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/s/ William H. Green  
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Attorneys for Defendant EMILE Y. JILWAN

/s/ Patrick W. Blegen  
PATRICK W. BLEGEN  
Attorneys for Defendant BASSAM Y. SALMAN

/s/ Matthew F. Leitman  
MATTHEW F. LEITMAN  
Miller Canfield Paddock and Stone, PLC  
Attorneys for Defendant KARIM I. BAYYOUK

**GENERAL ORDER 45 ATTESTATION**

In accordance with General Order 45, each of the signatories to this document have concurred in its filing, and I shall maintain records to support these concurrences.

/s/ Lloyd Farnham  
LLOYD FARNHAM  
Attorney for Plaintiff  
SECURITIES AND EXCHANGE COMMISSION

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2  
3 **[PROPOSED] ORDER**

4 The Court has considered the materials and papers submitted by counsel in this matter  
5 and for good cause shown, IT IS HEREBY ORDERED as follows:

6 The Case Management Conference previously set for August 19, 2011, is continued to  
7 September 30, 2011, at 9:00 a.m., with a joint status report to be filed one week prior to the  
8 conference.

9 IT IS SO ORDERED.

10 Dated: August 15, 2011

