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13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15

16 E. I. DU PONT DE NEMOURS AND)
 17 COMPANY,)
 18)
 Plaintiff,)
 19)
 v.)
 20)
 21 USA PERFORMANCE TECHNOLOGY,)
 INC., PERFORMANCE GROUP (USA),)
 22 INC., WALTER LIEW, and JOHN LIU,)
 23)
 Defendants.)
 24 _____)

Case No. 3:11-cv-01665-JSW
JOINT STATUS REPORT
AND ORDER CONTINUING STAY
 Judge: Hon. Jeffrey S. White

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1 Pursuant to the Court's July 22, 2011, Minute Order, Plaintiff E.I. Du Pont De Nemours
2 and Company ("DuPont") and defendants Walter Liew and USA Performance Technology, Inc.
3 (collectively "USAPT") submit this Joint Status Report. The parties request that the stay remain
4 in place for an additional 60 days.

5 On August 23, 2011, the United States filed *United States v. Walter Liew and Christina*
6 *Liew*, No. CR-11-0573-RS.

7 **DuPont's Position**: The indictment alleges that defendant Walter Liew and his wife,
8 Christina Liew, tampered with a witness in this action by, among other things, telling the witness
9 not to reveal his knowledge of certain employees of defendant USAPTI because it would not be
10 good for the witness or his family, and instructing the witness to lie about his knowledge of
11 certain individuals relevant to the trade secret case, in violation of 18 U.S.C. § 1512. The
12 indictment also alleges that Walter Liew and Christina Liew engaged in misleading conduct
13 towards agents of the Federal Bureau of Investigation and made false statements during the
14 execution of a search warrant by intentionally lying to the agents concerning the whereabouts of a
15 safe deposit box that contained evidence relevant to the FBI's investigation, in violation of 18
16 U.S.C. §§ 1001 and 1512. (Docket # 41 at 2.)

17 **USAPT's Position**: Defendants believe that the August 23 Complaint speaks for itself,
18 and no further explanation or commentary is appropriate or needed.

19 On September 7, 2011, this Court issued an Order relating the criminal proceeding with
20 this action, pursuant to its determination that this action and the criminal proceeding are related
21 within the meaning of Crim. L.R. 8-1(b). (Docket # 42.)¹

22 Walter Liew remains in custody. The United States has informed the Court that it plans
23 to file a superseding indictment in early November relating to the misappropriation of DuPont's
24 trade secrets. The undersigned counsel agree that the stay remain in place for an additional 60
25 days, at which time the parties can update the Court.

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27 ¹ On September 16, 2011, DuPont dismissed without prejudice defendant John Liu pursuant to
28 Federal Rule of Civil Procedure 41(a)(1). (Docket # 43.) Thus, the only remaining defendants in
this action are Walter Liew and his company, USA Performance Technology Inc.

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Dated: September 23, 2011

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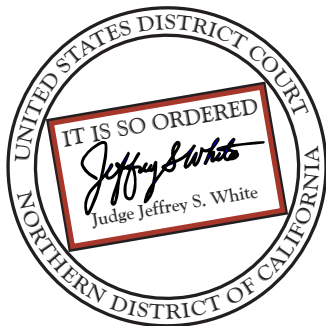
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Dated: September 23, 2011

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Dated: September 29, 2011