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

United States of America,  
  
Petitioner,  
  
v.  
  
Christopher J. Augusto,  
  
Respondent.

NO. C 11-04416 JW  
  
**ORDER VACATING STATUS  
CONFERENCE**

On December 14, 2011, the Court issued an Order requiring Respondent to comply, on or before January 31, 2012, with summonses issued by the IRS.<sup>1</sup> In that Order, the Court set February 13, 2012 for a Status Hearing re. IRS Petition and ordered the government to file a “Status Report on Respondent’s compliance or a dismissal of the action if Respondent has sufficiently complied.” (Id.) On February 3, 2012, the government filed a Motion for Order Finding Respondent in Contempt, which is calendared for March 12, 2012. (hereafter, “Motion for Contempt,” Docket Item No. 13.) In its Motion for Contempt, the government contends that as of February 1, 2012, Respondent has not complied with the IRS summonses. (Id. at 1-2.)

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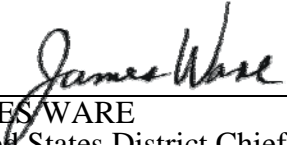
<sup>1</sup> (Order Compelling Respondent to Appear at the IRS Office for Examination; Vacating Order to Show Cause Hearing and Case Management Conference; Setting Status Hearing at 2, Docket Item No. 11.)

United States District Court  
For the Northern District of California

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In light of the pending Motion for Contempt, the Court finds that a Status Conference would be futile at this time. Accordingly, the Court VACATES the February 13, 2012 Status Conference.

Dated: February 7, 2012

  
\_\_\_\_\_  
JAMES WARE  
United States District Chief Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Blake D. Stamm blake.d.stamm2@usdoj.gov  
3 Thomas M. Newman thomas.newman2@usdoj.gov

4 **Dated: February 7, 2012**

**Richard W. Wieking, Clerk**

5  
6 **By:           /s/ JW Chambers**  
7 **Susan Imbriani**  
8 **Courtroom Deputy**

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