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

13 SECURITIES AND EXCHANGE  
 14 COMMISSION,

15 Plaintiff,

16 v.

17 THOMAS S. WU, EBRAHIM SHABUDIN,  
 18 and THOMAS T. YU,

19 Defendants.

Case No. 11-CV-4988 JSW

STIPULATION TO CONTINUE  
 CASE MANAGEMENT CONFERENCE  
 AND [~~PROPOSED~~] ORDER

Case Management Conference

Date: May 25, 2012

Time: 1:30 p.m.

Honorable Jeffrey S. White

Courtroom 11, 19th Floor

21  
 22 In advance of the Case Management Conference scheduled before the Court on May 25,  
 23 2012, the above parties submitted a Joint Case Management Statement on May 18, 2012, along  
 24 with a request to continue the Case Management Conference to a later date. The parties now  
 25 submit this separate Stipulation to Continue Case Management Conference and Proposed Order,  
 26 requesting the Court continue the Case Management Conference to June 22, 2012, at 1:30 p.m.

27 As set forth in the Joint Case Management Statement, there are significant issues  
 28 regarding the discovery in this case that may be affected by proceedings in a related criminal

1 case pending before this Court. The parties in the criminal case are scheduled to appear for a  
2 Status Conference before this Court on June 7, 2012.

3 The parties believe that it is premature to set a schedule for discovery, pretrial, and trial at  
4 this time. The defendants named in the related criminal case, pending before this Court, and the  
5 parties to the administrative proceedings before the Federal Deposit Insurance Corporation  
6 (“FDIC”), are conferring regarding defendants’ access to the large volume of bank documents  
7 obtained by the FDIC. In a submission to this Court in the criminal case, dated April 26, 2012,  
8 the United States Attorney’s Office and the Department of Justice outlined a proposal regarding  
9 a DOJ-administered database of documents that would be available to the defendants in this  
10 action and the related criminal and administrative cases. The DOJ proposal is currently being  
11 evaluated, and the Court rescheduled the criminal Status Conference to June 7, 2012. The parties  
12 to this case believe that it would not be productive to discuss a discovery and trial schedule in the  
13 Commission’s civil case until the criminal case discovery issues are resolved.

14 For the reasons discussed above, the parties jointly request and stipulate that the Case  
15 Management Conference in this case be continued to June 22, 2012, or a date convenient for the  
16 Court.

17  
18 Dated: May 21, 2012

Respectfully submitted,

19  
20 /s/ Lloyd Farnham  
LLOYD FARNHAM  
Attorneys for Plaintiff  
SECURITIES AND EXCHANGE COMMISSION

21  
22 /s/ Steven Bauer  
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ATTORNEYS FOR DEFENDANT THOMAS WU

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/s/ James Lassart  
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ATTORNEYS FOR DEFENDANT THOMAS YU

**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

**[PROPOSED] ORDER**

The court HEREBY ORDERS, pursuant to the above stipulation, that the Case Management Conference currently set for May 25, 2012, is continued to <sup>July 6</sup>~~June 22~~, 2012, at 1:30 pm.

DATED: May 22, 2012

  
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Jeffrey S. White  
United States District Judge