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8 **UNITED STATES DISTRICT COURT**

9 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

10
11 SECURITIES AND EXCHANGE
COMMISSION,

12 Plaintiff,

13 vs.

14 THOMAS S. WU, EBRAHIM SHABUDIN,
15 THOMAS T. YU and CRAIG S. ON,

16 Defendants.

CASE NO. C 11-04988 JSW

**STIPULATION TO CONTINUE
CASE MANAGEMENT CONFERENCE
AND ~~PROPOSED~~ ORDER**

Date: September 14, 2012
Time: 1:30 p.m.
Crtrm.: 11, Hon. Jeffrey S. White

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18 This case is set for a Case Management Conference on September 14, 2012. As the Court
19 is aware, there are two related proceedings that affect the discovery in this matter: the criminal
20 case against defendants Ebrahim Shabudin and Thomas Yu pending in this Court and the FDIC
21 administrative case against all three defendants and others.¹ According to a status report
22 submitted in the criminal case, the Department of Justice continues to upload data to Relativity
23 platform at the Litigation Technology Service Center (LTSC) in Columbia, South Carolina and
24 reports that it is progressing toward making the large volume of documents obtained from United
25

26 ¹ There is also a related civil case, *Cho et al. v. UCBH Holdings et al.*, No. C 09-4208 JSW, that
27 is still in the pleading stage and that is expected to proceed independently with regard to
28 discovery.

1 Commercial Bank by the FDIC available to defendants. At present, the defendants are reviewing
 2 a substantial, but more limited, set of documents made available by the FDIC. The Court has been
 3 requested to schedule a continued Status Conference in the criminal case for January 24, 2013.
 4 The parties to this civil case brought by the SEC submit this Stipulation to Continue Case
 5 Management Conference and Proposed Order, requesting the Court continue the Case
 6 Management Conference to January 25, 2013, at 1:30 p.m., or a date convenient for the Court.

7 The discovery for the three cases overlaps substantially. The parties believe that it is
 8 premature to set a schedule for discovery, pretrial, and trial at this time. According to the Third
 9 Joint Status report in the criminal case, the DOJ project is proceeding and all materials, consisting
 10 of millions of documents, are expected to be on line by November 30, 2012. Then, of course, they
 11 must be reviewed with the assistance of electronic discovery techniques. The parties believe that
 12 it would not be productive to discuss a discovery and trial schedule until the criminal case
 13 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 January 25, 2013, or a date convenient for
 16 the Court.

17 Dated: September 7, 2012

Respectfully submitted,

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s/ _____
 LLOYD FARNHAM
 Attorneys for Plaintiff
 SECURITIES AND EXCHANGE COMMISSION

s/ _____
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s/ _____
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s/ _____
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GENERAL ORDER 45 ATTESTATION

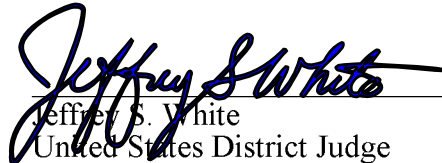
In accordance with General Order 45, each of the signatories to this document have concurred in its filing, and I shall maintain records to support these concurrences.

s/ _____
Stephen Kaus
Attorney for Defendant Thomas Yu

~~[PROPOSED]~~ ORDER

The court HEREBY ORDERS, pursuant to the above stipulation, that the Case Management Conference currently set for September 14, 2012, is continued to January 25, 2013, at 1:30 pm.

DATED: September 11, 2012



Jeffrey S. White
United States District Judge

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