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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, and THOMAS T. YU,
18 Defendants.

Case No. 3:11-cv-04988-JSW

JOINT ADMINISTRATIVE MOTION
TO CONTINUE DISCOVERY AND
TRIAL SCHEDULE

~~PROPOSED~~ ORDER

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21 The Plaintiff Securities and Exchange Commission (the "Commission") submits this
22 Joint Administrative Motion to Continue the Discovery and Trial Schedule in this case. The
23 motion is submitted on behalf of the Commission and the remaining defendants in the action,
24 Thomas Wu and Thomas Yu. Counsel for the parties agree that the pending criminal
25 proceedings against Thomas Yu make it impractical to complete discovery in this case, and a
26 trial on the civil charges against the defendants will be more efficient and expeditious after the
27 criminal proceedings are completed. For these reasons, the parties request that the Court vacate
28 the current discovery and trial schedule, and set a Continued Case Management Conference in

1 approximately six months to discuss a revised schedule in the case.

2 This action was filed on October 11, 2011, and named three former officers and
3 employees of UCBH Holdings, Inc. and United Commercial Bank, Thomas Wu, Thomas Yu,
4 and Ebrahim Shabudin. Also on that day, indictments were unsealed charging Thomas Yu and
5 Shabudin with securities fraud and other charges. This criminal action is pending before this
6 Court, and no trial date has been set. The Commission accepted an offer of settlement from
7 defendant Shabudin, and on August 8, 2013, the Court entered final judgment against Shabudin,
8 imposing a civil penalty and issuing a permanent injunction.

9 Thomas Yu and Thomas Wu have not filed substantive answers to the Commission's
10 complaint. In their answers to the Commission complaint, filed on December 13 and 14, 2011,
11 both defendants stated that they lacked sufficient information to respond to the allegations
12 because they did not have access to relevant documents, and each asserted rights under the Fifth
13 Amendment to the U.S. Constitution and declined to respond to allegations in the Commission's
14 complaint. According to Counsel for Thomas Yu, he will continue to assert his Fifth
15 Amendment privilege at a deposition or trial during the pendency of the criminal proceedings.

16 Because of the pending criminal case has made it impractical to complete further
17 discovery in the civil case, the parties request that the Court vacate and reset the current
18 deadlines. The parties also seek to continue the trial date in order to permit the parties to conduct
19 discovery and prepare for trial either after the criminal trial schedule has been determined or
20 after the conclusion of the pending criminal case.

21 A proposed for of order is submitted with this motion.

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23 Dated: February 19, 2014

Respectfully submitted,

24 /s/ Lloyd Farnham

25 LLOYD FARNHAM

26 Attorney for Plaintiff

SECURITIES AND EXCHANGE COMMISSION

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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 has concurred in its filing, and I shall maintain records to support these concurrences.

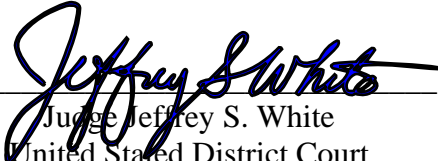
/s/ Lloyd Farnham
LLOYD FARNHAM
Attorney for Plaintiff
SECURITIES AND EXCHANGE COMMISSION

~~**PROPOSED**~~ ORDER

PURSUANT TO STIPULATION, and the information submitted with this motion, the Court vacates the trial and discovery deadlines in this case, and sets a CONTINUED CASE MANAGEMENT CONFERENCE for April 25, 2014. The parties shall file an updated Case Management Conference statement at least seven days prior.

IT IS SO ORDERED.

Dated: February 25, 2014



Judge Jeffrey S. White
United States District Court