

1 MELINDA HAAG (CABN 132612)
United States Attorney
2 THOMAS MOORE (ALBN 4305-O78T)
Assistant United States Attorney
3 Chief, Tax Division
4 THOMAS M. NEWMAN (NYBN 4256178)
Assistant United States Attorney
5 11th Floor Federal Building
450 Golden Gate Avenue, Box 36055
6 San Francisco, California 94102
7 Telephone: (415) 436-6888
8 Fax: (415) 436-6748
Email: thomas.newman2@usdoj.gov

9 Attorneys for the United States of America

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

14 KONG WANG and FANNY WONG,) Case No. C-14-00690-VC
15 Plaintiffs,)
16 v.) STIPULATION TO CONTINUE
AND ORDER
17 UNITED STATES OF AMERICA,)
18 Defendant.)
19 _____)

20 It is hereby stipulated by and between plaintiffs and defendant United States of America, through
21 their respective counsel, that:

22 1. A case management conference is currently scheduled in this case on August 26, 2014.
23 The August 26, 2014 case management conference was set after the parties requested a continued
24 conference in order to allow an IRS Revenue Agent to evaluate this case.

25 2. The IRS Revenue Agent completed a review of this case and one issue requires
26 resolution. In their complaint, Plaintiffs alleged that with regard to 2001 the “IRS failed to apply a
27 payment of \$82,880.69 from Ms. Wong’s 2001 substituted return to the Plaintiffs’ joint account.” (Dkt.
28 No. 1 at p. 2 ¶ 11). The IRS transcripts related to the 2001 tax year list an \$82,880.69 payment for that

1 year. However, the IRS transcripts show that the payment was removed. For that reason, the
2 government has asked for information related to that \$82,880.69 amount from the IRS. Plaintiffs are
3 seeking evidence to clarify what form that payment took and provide it to the defendant.

4 3. The parties agree that another continuance until September 23, 2014, is appropriate
5 before dates are set in this case. This continuance will permit the parties to exchange information
6 related to the \$82,880.69 amount list during the 2001 year, and discuss resolution of the other years in
7 this case. This will narrow the issue in the case so that any discovery, motions and trial is focused on
8 facts in dispute after this final conference.

9 Respectfully submitted,

10 MELINDA HAAG
11 United States Attorney

12 _____/s/_____
13 FRAMTA SAECHAO
14 Attorney for Plaintiffs

12 _____/s/_____
13 THOMAS NEWMAN
14 Assistant United States Attorney
15 Tax Division

16 PURSUANT TO STIPULATION, IT IS SO ORDERED.

17
18 Date: August 20, 2014

17 
18 _____
19 VINCENT CHHABRIA
20 United States District Judge