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 9 **IN THE UNITED STATES DISTRICT COURT FOR THE**
 10 **NORTHERN DISTRICT OF CALIFORNIA**
 11 **SAN FRANCISCO DIVISION**

12 **UNITED STATES OF AMERICA,**)

13 **Plaintiff,**)

14 **v.**)

15 **LOUIS G. BEARY, et al.,**)

17 **Defendants.**)

No. C06-5838 PJH

**STIPULATION TO RESCHEDULE
 CASE MANAGEMENT
 CONFERENCE AND
[PROPOSED] ORDER**

**Date: March 4, 2010
 Time: 2:00 p.m.
 Place: Federal Building
 Oakland, CA
 Courtroom 3, Third Floor**

22 The parties hereby stipulate and agree, subject to the Court's approval, to the following:

23 The parties to this action, by and through their counsel, respectfully request that the Court
 24 continue the Case Management Conference currently scheduled for February 11, 2010, to March
 25 4, 2010, at 2:00 p.m., or such other date as the Court orders.

26 The parties have a settlement structure in place through settlement conferences with
 27 Magistrate Hon. Maria-Elena James. Defendant, Kimberley Beary is in the process of selling the
 28 real property which is the subject of the action. There have been several sales which have not

1 been consummated. There is a current sale pending and it is anticipated that escrow will close on
2 February 19, 2010. Accordingly, the parties request that the case management conference be
3 held on March 4, 2010, at 2:00 p.m. after the close of escrow.

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5 IT IS SO STIPULATED:

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Respectfully submitted,

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8 JOSEPH RUSSONIELLO
9 United States Attorney

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10 Dated: 2/1/10 _____:

/s/ Cynthia Stier
11 CYNTHIA STIER
Assistant U.S. Attorney
12 Attorneys for the United States of America

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14 Dated: 2/1/10 _____:

/s/ Karen Yiu
15 KAREN W. YIU
California Attorney General's Office
16 Attorney for State of CA Franchise Tax Board
and Employment Development Department

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18 Dated: 2/1/10 _____:

/s/
19 BOB HAROCHE
Beyers Costin
20 200 Fourth Street, Suite 400
P.O. Box 878
21 Santa Rosa, California 95402
Attorney for Lois Rust

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27 US v. Beary, et al., Case No.06-5838-PJH
Stipulation to Reschedule
Case Mgmt. Conf. and
28 [Proposed] Order

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Dated: : 2/1/10 :

/s/
PETER CHURCHILL
1682 Novato Blvd.
Suite 350 Novato, CA 94947
Attorney for Kimberley Beary

Dated: : 2/1/10 :

/s/
TERRY TRAKTMAN
1682 Novato Blvd.
Suite 250 Novato, CA 94947
Attorney for Kimberley Beary

SO ORDERED:

Dated: 2/8/10



US v. Beary, et al., Case No.06-5838-PJH
Stipulation to Reschedule
Case Mgmt. Conf. and
[Proposed] Order