

1 JOSEPH P. RUSSONIELLO (CSBN 44332)
 United States Attorney
 2 THOMAS MOORE (ASBN 4305-O78T)
 Assistant United States Attorney
 3 Chief, Tax Division
 CYNTHIA STIER (DCBN 423256)
 4 Assistant United States Attorney
 9th Floor Federal Building
 5 450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102
 6 Telephone: (415) 436-7000

7 Attorneys for United States of America

8

9 **IN THE UNITED STATES DISTRICT COURT FOR THE**
 10 **NORTHERN DISTRICT OF CALIFORNIA**
 11 **OAKLAND 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: April 22, 2010
 Time: 2:00 p.m.
 Place: Federal Building
 Oakland**

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

21 The parties to this action, by and through their counsel, respectfully request that the Court
 22 continue the Case Management Conference currently scheduled for March 4, 2010, to April 22,
 23 2010 at 2:00 p.m., or such other date as the Court orders.

24 The parties met with the Honorable Magistrate Hon. Maria-Elena James on February 23,
 25 2010, for several hours in order to conduct further settlement negotiations. There is a scheduled
 26 sale of the real property and the parties anticipate that the closing will occur sometime in late
 27 February or early March, 2010. A further settlement conference is scheduled before Judge James
 28 on March 26, 2010.

1 IT IS SO STIPULATED:

2

Respectfully submitted,

3

JOSEPH RUSSONIELLO
United States Attorney

4

5 Dated: 2/23/10 :

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

6

7

8 Dated: 2/23/10 :

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

9

10

11 Dated: 2/23/10

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

12

13

14

15 Dated: :2/23/10

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

16

17

18 SO ORDERED:

19

20 Dated: 3/1/10

21 THE HONORABLE PHYLLIS J. HAMILTON
UNITED STATES DISTRICT JUDGE

22

23

24

25

26

27

28

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

