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10 *Attorneys for United States of America*

11 UNITED STATES DISTRICT COURT FOR THE
12 NORTHERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,)
14 Petitioner,)
15 v.)
16 FRANCIS BURGA; FRANCIS BURGA AS)
THE ADMINISTRATOR OF THE ESTATE)
17 OF MARGELUS BURGA; and)
RUSSELL MANSKY,)
18 Respondents.)
19

Case No. 5:18-cv-01633-BLF
**STIPULATION AND ~~PROPOSED~~
ORDER REQUESTING
CONTINUANCE OF JUNE 25, 2019
HEARING AND TO SET BRIEFING
SCHEDULE**

20
21 Petitioner United States of America, respondents Francis Burga (in her individual capacity and as
22 the Administrator of the Estate of Margelus Burga) and Russell Mansky, through their respective
23 undersigned counsel of record, stipulate as follows and respectfully request an order pursuant to this
24 stipulation for a continuance of the hearing date currently set for the United States’ Brief Challenging
25 Respondents’ Assertions of Privilege (Docket No. 26) and for other relief:

26 1. The United States filed its Petition to Enforce Internal Revenue Summonses on March
27 15, 2018 (“Petition to Enforce Summons”). (Docket No. 1).
28

1 2. On June 5, 2018, the Court ordered the Petition to Enforce granted and enforced the six
2 Internal Revenue Service summonses at issue. The Court further ordered that respondents had to provide
3 the United States with revised privilege logs and give testimony as to their efforts to comply with the
4 summonses. (Docket No. 19).

5 3. Respondents have since provided the United States with revised privilege logs and have
6 provided testimony. (Docket No. 21). Efforts at compliance remain underway. (Docket No. 27).

7 4. On May 16, 2019, the United States filed its brief challenging some of respondents'
8 claims of privilege. (Docket No. 26). That matter was set for hearing before Judge Beth Labson
9 Freeman on November 7, 2019.

10 5. In a status report the parties also filed on May 16, 2019, the parties stipulated to an
11 enlarged briefing schedule with response and reply dates in July. (Docket No. 27).

12 6. On May 17, 2019, the Court referred the privilege matter to Magistrate Judge Susan van
13 Keulen and vacated the November 7, 2019 hearing. The Court also denied without prejudice the parties'
14 proposed briefing schedule, for resubmission to Judge van Keulen. (Docket No. 28).

15 7. On May 22, 2019, the Court set the privilege matter for hearing on June 25, 2019, at
16 10:00 a.m. and set June 6, 2019, as the deadline for responses and June 14, 2019, as the deadline for
17 replies. (Docket No. 29).

18 8. Due to a scheduling conflict with government counsel's calendar, the parties seek to
19 continue the hearing currently set for June 25, 2019, at 10:00 a.m. to July 30, 2019, at 10:00 a.m.

20 9. Further, the parties seek to modify the briefing schedule and agree that respondents
21 should have up to and including July 2, 2019, to file any response to the United States' Brief
22 Challenging Respondents' Assertions of Privilege and the United States should have up to and including
23 July 16, 2019, to file any replies.

24 10. This is the parties' first stipulation for a continuance of this hearing and for a modified
25 briefing schedule.

1 Dated this 28th day of May, 2019

2 RICHARD E. ZUCKERMAN
3 Principal Deputy Assistant Attorney General

4 /s/ Amy Matchison
5 AMY MATCHISON (CA SBN 217022)
6 Trial Attorney, Tax Division
7 United States Department of Justice

8 Dated this 28th day of May, 2019

9 SIDEMAN & BANCROFT LLP

10 By: /s/ Jay R. Weill
11 Jay R. Weill
12 Steven M. Katz
13 Emily J. Kingston
14 Travis W. Thompson
15 Attorneys for FRANCIS BURGA;
16 FRANCIS BURGA AS THE
17 ADMINISTRATOR OF THE ESTATE OF
18 MARGELUS BURGA

19 Dated this 28th day of May, 2019

20 WOOD ROBBINS, LLP

21 By: /s/ Denise Mejlszenkier
22 Denise Mejlszenkier
23 Attorneys for Respondent RUSSELL
24 MANSKY

25 IT IS SO ORDERED.

26 Dated this 30 day of May, 2019

27 

28 SUSAN VAN KEULEN
SUSAN VAN KEULEN
UNITED STATES MAGISTRATE JUDGE

1 ECF CERTIFICATION

2 Pursuant to Local Rule 5-1(i)(3), I hereby attest that I obtained concurrence in the filing of
3 this document from the signatories indicated by the conformed signatures (/s/) of Jay R. Weill and
4 Denise Mejlszenkier.

5 */s/ Amy Matchison*
6 AMY MATCHISON
7 Trial Attorney, Tax Division
8 U.S. Department of Justice
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