

General Docket
United States Court of Appeals for the Ninth Circuit

| | | | | |
|--|---------------------------------|-----------------------------|------------------------|------------|
| Court of Appeals Docket #: 12-10492 | | Docketed: 10/02/2012 | | |
| USA v. Hui Hsiung | | Termed: 07/10/2014 | | |
| Appeal From: U.S. District Court for Northern California, San Francisco | | | | |
| Fee Status: Paid | | | | |
| Case Type Information: | | | | |
| 1) criminal | | | | |
| 2) Direct Criminal | | | | |
| 3) null | | | | |
| Originating Court Information: | | | | |
| District: 0971-3 : 3:09-cr-00110-SI-8 | | | | |
| Court Reporter: Joan Marie Columbini | | | | |
| Trial Judge: Susan Illston, Senior District Judge | | | | |
| Date Filed: 02/04/2009 | | | | |
| Date Order/Judgment: | Date Order/Judgment EOD: | Date NOA Filed: | Date Rec'd COA: | |
| 09/27/2012 | 09/27/2012 | 09/28/2012 | 10/02/2012 | |
| Prior Cases: | | | | |
| None | | | | |
| Current Cases: | | | | |
| | Lead | Member | Start | End |
| Consolidated | 12-10492 | 12-10493 | 12/21/2012 | |
| | 12-10492 | 12-10500 | 12/21/2012 | |
| | 12-10492 | 12-10514 | 01/16/2013 | |
| Related | 12-10492 | 13-10242 | 05/07/2013 | |

| | |
|---|--|
| UNITED STATES OF AMERICA Plaintiff - Appellee, | Peter Kendall Huston Direct: 415-436-6660 [COR LD NTC Assist US Attorney] DOJ - U.S. DEPARTMENT OF JUSTICE Antitrust Division 10-0101 450 Golden Gate Ave. Box 36046 San Francisco, CA 94102 James Joseph Fredricks Direct: 202/307-1403 [COR NTC Government] DOJ - U.S. Department of Justice Room 3224 950 Pennsylvania Ave., N.W. Washington, DC 20530 Kristen Ceara Limarzi, Attorney Direct: 202-353-8629 [COR NTC Government] DOJ - U.S. Department of Justice 3224 950 Pennsylvania Ave., N.W. Washington, DC 20530 Barbara Valliere, Assistant U.S. Attorney [COR NTC Assist US Attorney] DOJ-USAO 450 Golden Gate Avenue San Francisco, CA 94102 |
|---|--|

v.

HUI HSIUNG, AKA Kuma
Defendant - Appellant,

Neal Katyal
Direct: 202-637-5528
[COR LD NTC Retained]
Hogan Lovells US LLP
Firm: 202-637-5600
555 Thirteenth Street, NW
Washington, DC 20004

Brian Berson
Direct: 415-788-2707
[COR NTC Retained]
Law Offices of Brian P. Berson
Suite 625
235 Montgomery Street
San Francisco, CA 94104

ANDREW T. GUZMAN, Professor
Amicus Curiae,

Chang C. Chen, Esquire, Attorney
Direct: 415-990-1858
[COR LD NTC Retained]
Law Office of Dr Chang C. Chen
500 Bryant St.
Unit 104
San Francisco, CA 94107

Sang N. Dang, Esquire, Attorney
Direct: 714-418-5811
[COR NTC Retained]
BLUE CAPITAL LAW, P.C.
Suite 1000
600 Anton Blvd.
Costa Mesa, CA 92626

John Shaeffer
Direct: 310-598-4150
[COR NTC Retained]
Fox Rothschild LLP
Suite 300
1800 Century Park East
Los Angeles, CA 90067

MINISTRY OF ECONOMIC AFFAIRS OF THE REPUBLIC OF
CHINA
Amicus Curiae - Pending,

Marc Jonathan Zilversmit, Esquire, Attorney
Direct: 415-431-3472
[COR NTC Retained]
Marc J. Zilversmit, Attorney At Law
523 Octavia St.
San Francisco, CA 94102

CORNING INC
Amicus Curiae,

Steven C. Sunshine
Direct: 202-371-7860
[COR LD NTC Retained]
Skadden, Arps, Slate, Meagher & Flom LLP
08-37
1440 New York Ave., NW
Washington, DC 20005-2111

APPLIED MATERIALS, INC.
Amicus Curiae,

Steven C. Sunshine
Direct: 202-371-7860
[COR LD NTC Retained]
(see above)

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

HUI HSIUNG, AKA Kuma,

Defendant - Appellant.

- 10/02/2012 [1](#)
12 pg, 248.79 KB DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. Reporters Transcript required: Yes. Sentence imposed: 36 Months. Transcript ordered by 10/19/2012. Transcript due 11/19/2012. Appellant briefs and excerpts due by 12/28/2012 for Hui Hsiung. Appellee brief due 01/28/2013 for United States of America. Appellant's optional reply brief is due 14 days after service of the answering brief. [8345779] (HC) [Entered: 10/02/2012 04:34 PM]
- 10/03/2012 [2](#)
Terminated William Lathan Osterhoudt for Hui Hsiung in 12-10492 re: *** not on judgment and did not sign noa** [8345954] (DJV) [Entered: 10/03/2012 07:15 AM]
- 10/04/2012 [3](#)
2 pg, 23.7 KB Filed (ECF) notice of appearance of Kristen C. Limarzi for Appellee USA. Date of service: 10/04/2012. [8348897] (Limarzi, Kristen) [Entered: 10/04/2012 02:37 PM]
- 10/04/2012 [4](#)
2 pg, 23.52 KB Filed (ECF) notice of appearance of James J. Fredricks for Appellee USA. Date of service: 10/04/2012. [8349056] (Fredricks, James) [Entered: 10/04/2012 03:14 PM]
- 10/04/2012 [5](#)
Added attorney James Joseph Fredricks, Kristen Ceara Limarzi for USA, in case 12-10492. [8349335] (MT) [Entered: 10/04/2012 04:21 PM]
- 10/09/2012 [6](#)
2 pg, 23.61 KB Filed (ECF) notice of appearance of John J. Powers III for Appellee USA. Date of service: 10/09/2012. [8352310] (Powers, John) [Entered: 10/09/2012 01:08 PM]
- 10/09/2012 [7](#)
Added attorney John James Powers III for USA, in case 12-10492. [8352809] (MT) [Entered: 10/09/2012 02:45 PM]
- 10/31/2012 [8](#)
2 pg, 26.35 KB Filed (ECF) notice of appearance of Elizabeth Barchas Prelogar for Appellant Hui Hsiung. Date of service: 10/31/2012. [8382326] (Prelogar, Elizabeth) [Entered: 10/31/2012 08:51 AM]
- 10/31/2012 [9](#)
Added attorney Elizabeth Prelogar for Hui Hsiung, in case 12-10492. [8382340] (MT) [Entered: 10/31/2012 08:54 AM]
- 11/02/2012 [10](#)
14 pg, 302.14 KB DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. Reporters Transcript required: Yes. Sentence imposed: 36 Months. First cross appeal brief due 12/28/2012 for Hui Hsiung. Second brief on cross appeal due 01/28/2013 for United States of America. Third brief on cross appeal due 02/27/2013 for Hui Hsiung. The optional reply brief is due 14 days after the service of the third cross appeal brief. [8385740] [12-10559, 12-10492] (HC) [Entered: 11/02/2012 09:51 AM]
- 11/26/2012 [11](#)
168 pg, 2.88 MB Filed (ECF) Appellant Hui Hsiung Motion for bail pending Appeal. Date of service: 11/26/2012. [8414655]--[COURT UPDATE: Spread docket text to 12-10559. Resent NDA. 11/26/2012 by RY] (Handman, Christopher) [Entered: 11/26/2012 04:01 PM]
- 12/04/2012 [12](#)
3 pg, 24.39 KB Filed (ECF) Appellee USA Unopposed Motion for miscellaneous relief [Unopposed Motion to Extend Page Limit for United States' Response to Defendants' Motions for Bail Pending Appeal]. Date of service: 12/04/2012. [8424740]--[COURT UPDATE: Spread docket text to 12-10559. Resent NDA. 12/04/2012 by RY] (Fredricks, James) [Entered: 12/04/2012 01:49 PM]
- 12/06/2012 [13](#)
2 pg, 24.81 KB Filed clerk order: (MT) The United States of America's unopposed motion for permission to file a single response of not more than thirty pages to appellants Hsiung and Chen's motions for bail pending appeal filed in appeal Nos. 12-10492 and 12-10493 is granted. The previously established briefing schedules remain in effect. [8429142] [12-10492, 12-10559, 12-10493, 12-10560] (DEV) [Entered: 12/06/2012 03:53 PM]
- 12/10/2012 [14](#)
247 pg, 3.89 MB Filed (ECF) Appellee USA response opposing motion (,motion for bail pending appeal or trial). Date of service: 12/10/2012. [8432268] (Limarzi, Kristen) [Entered: 12/10/2012 02:25 PM]
- 12/13/2012 [15](#)
6 pg, 27.27 KB Filed (ECF) Appellant Hui Hsiung in 12-10492, Appellee Hui Hsiung in 12-10559 Motion to consolidate cases 12-10492; 12-10559; 12-10492; 12-10560; 12-10500; 12-10558; 12-10514, Motion to extend time to file Opening brief until 02/04/2013. Date of service: 12/13/2012. [8438026] [12-10492, 12-10559] (Handman, Christopher) [Entered: 12/13/2012 02:22 PM]
- 12/18/2012 [16](#)
16 pg, 77.08 KB Filed (ECF) Appellant Hui Hsiung in 12-10492, Appellee Hui Hsiung in 12-10559 reply to response (). Date of service: 12/18/2012. [8445144] [12-10492, 12-10559] (Handman, Christopher) [Entered: 12/18/2012 04:33 PM]
- 12/21/2012 [17](#)
4 pg, 35.93 KB Filed order (EDWARD LEAVY and MILAN D. SMITH, JR.) The unopposed motions to consolidate these appeals and cross-appeals are granted. These appeals are now consolidated. Appeal Nos. 12-10492 and 12-10493 are remanded to the district court for the limited purpose of enabling that court to state, orally or in writing, the reasons for its order denying appellants Chen and Hsiung's motions for bail pending appeal. See 18 U.S.C. § 3143(b); Fed. R. App. P. 9(b); United States v. Wheeler, 795 F.2d 839, 841 (9th Cir. 1986) (order). The district court shall provide the oral or written statement within 10 days after the date of this order. See Wheeler, 795 F.2d at 841. Appellants may file a supplemental memoranda in support of the motions for bail pending appeal within 10 days after the filing date of the district court's statement. Appellee

United States may file its response within 10 days after service of appellants' supplemental memoranda. Appellants' optional replies are due within 7 days after service of appellee United States' response. The unopposed motions for extensions of time to file the opening briefs are granted. The following briefing schedule shall govern these appeals and cross-appeals: the first cross-appeal briefs are due February 4, 2013; the second briefs on cross-appeal are due April 5, 2013; the third briefs on cross-appeal are due May 6, 2013; and the optional briefs are due June 5, 2013. The Clerk shall serve this order on the district judge. [8449792] [12-10492, 12-10559, 12-10493, 12-10560, 12-10500, 12-10558, 12-10514] (KD) [Entered: 12/21/2012 10:49 AM]

- 12/31/2012 [18](#)
21 pg, 109.89 KB Filed (ECF) Appellant Hui Hsiung in 12-10492, Appellee Hui Hsiung in 12-10559 Supplemental Motion for bail pending Appeal. Date of service: 12/31/2012. [8456896] [12-10492, 12-10559]--[COURT UPDATE: Spread entry to 12-10493, 12-10560, 12-10500, 12-10558, resent notice. 12/31/2012 by ASW]--[COURT UPDATE: spread to 12-10514, resent notice. 01/16/2013 by ASW] (Handman, Christopher) [Entered: 12/31/2012 02:20 PM]
- 12/31/2012 [19](#)
14 pg, 43.24 KB Filed (ECF) Appellant Hsuan Bin Chen in 12-10493, Appellee Hsuan Bin Chen in 12-10560 response to Court order dated 12/21/2012. Date of service: 12/31/2012. [8456826] [12-10493, 12-10560]--[COURT UPDATE: Spread entry to 12-10492, 12-10559, 12-10500, 12-10558, resent notice. 12/31/2012 by ASW]--[COURT UPDATE: spread to 12-10514, resent notice. 01/16/2013 by ASW] (Attanasio, Michael) [Entered: 12/31/2012 01:49 PM]
- 01/07/2013 [20](#)
8 pg, 36.82 KB Filed (ECF) Appellee USA in 12-10492, 12-10493 response opposing motion (, motion for bail pending appeal or trial,). Date of service: 01/07/2013. [8463517] [12-10492, 12-10493]--[COURT UPDATE: Spread docket text to 12-10560, 12-10500, 12-10558, 12-10559. Resent NDA. 01/07/2013 by RY]--[COURT UPDATE: spread to 12-10514, resent notice. 01/16/2013 by ASW] (Limarzi, Kristen) [Entered: 01/07/2013 12:28 PM]
- 01/11/2013 [21](#)
7 pg, 16.92 KB Filed (ECF) Appellant Hsuan Bin Chen in 12-10493 reply to response (,). Date of service: 01/11/2013. [8470900] [12-10493, 12-10492, 12-10560, 12-10500, 12-10558, 12-10559]--[COURT UPDATE: spread to 12-10514, resent notice. 01/16/2013 by ASW] (Attanasio, Michael) [Entered: 01/11/2013 11:30 AM]
- 01/11/2013 [22](#)
8 pg, 32.24 KB Filed (ECF) Appellant Hui Hsiung in 12-10492, Appellee Hui Hsiung in 12-10559 reply to response (). Date of service: 01/11/2013. [8471044] [12-10492, 12-10493, 12-10560, 12-10500, 12-10558, 12-10559]--[COURT UPDATE: spread to 12-10514, resent notice. 01/16/2013 by ASW] (Handman, Christopher) [Entered: 01/11/2013 12:34 PM]
- 01/22/2013 [23](#)
3 pg, 34.54 KB Filed order (WILLIAM C. CANBY, RICHARD R. CLIFTON and N. RANDY SMITH) Appellants Chen and Hsiung's ("Appellants") motions and supplemental motions for bail pending appeal are denied. Appellants have not shown that these appeals raise a "substantial question" of law or fact that is likely to result in reversal, an order for a new trial, a sentence that does not include a term of imprisonment, or a reduced sentence to a term of imprisonment less than the total of the time already served plus the expected duration of the appeal process. See 18 U.S.C. § 3143(b); United States v. Handy, 761 F.2d 1279, 1283 (9th Cir. 1985). The briefing schedule established on December 21, 2012 remains in effect for these consolidated appeals. [8481841] [12-10492, 12-10493, 12-10560, 12-10500, 12-10558, 12-10514, 12-10559] (KKW) [Entered: 01/22/2013 11:22 AM]
- 02/04/2013 [24](#)
116 pg, 261.08 KB Submitted (ECF) First Brief on Cross-Appeal brief for review and filed Motion to file oversized brief. Submitted by Appellant Hui Hsiung in 12-10492, Appellant Hsuan Bin Chen in 12-10493, Appellee Hui Hsiung in 12-10559, Appellee Hsuan Bin Chen in 12-10560. Date of service: 02/04/2013. [8498617] [12-10492, 12-10493, 12-10560, 12-10500, 12-10558, 12-10514, 12-10559]--[COURT UPDATE: Edite docket text to reflect correct brief type. Resent NDA. 02/05/2013 by RY] (Handman, Christopher) [Entered: 02/04/2013 11:27 AM]
- 02/04/2013 [25](#)
2087 pg, 94.75 MB Submitted (ECF) First Brief on Cross-Appeal brief and Excerpts of Record in 7 volume(s) for review and filed Motion to file oversized brief. Submitted by Appellant AU Optronics Corporation in 12-10500, Appellant AU Optronics Corporation America, Inc. in 12-10514. Date of service: 02/04/2013. [8499292] [12-10500, 12-10492, 12-10493, 12-10560, 12-10558, 12-10514, 12-10559]--[COURT UPDATE: Attached corrected brief. Edited docket text to reflect correct brief type. Resent NDA. 02/08/2013 by RY] (Riordan, Dennis) [Entered: 02/04/2013 03:18 PM]
- 02/06/2013 [26](#)
9 pg, 31.28 KB Filed (ECF) John Shaeffer Carole E. Handler Motion to extend time to file amicus brief until 02/25/2013 at 05:00 pm. Date of service: 02/06/2013. [8502481] [12-10500, 12-10492, 12-10493, 12-10560, 12-10558, 12-10514, 12-10559]--[COURT UPDATE: Removed notice of appearance. Counsel cannot appear on behalf of non-party (amicus not party in appeal). Resent NDA. 02/07/2013 by RY] (Shaeffer, John) [Entered: 02/06/2013 11:51 AM]
- 02/11/2013 [27](#)
8 pg, 29.91 KB Filed (ECF) Taiwan Federation of Industries Motion to extend time to file amicus brief until 02/25/2013. Date of service: 02/11/2013. [8509209] [12-10500, 12-10492, 12-10493, 12-10560, 12-10558, 12-10514, 12-10559] (Handler, Carole) [Entered: 02/11/2013 03:14 PM]

- 02/11/2013 [28](#)
29 pg, 98.88 KB Submitted (ECF) Amicus brief for review (by government or with consent per FRAP 29(a)). Submitted by Professor Andrew Guzman. Date of service: 02/11/2013. [8509517] [12-10500, 12-10492, 12-10493, 12-10560, 12-10558, 12-10514, 12-10559] (Shaeffer, John) [Entered: 02/11/2013 04:07 PM]
- 02/13/2013 [29](#) Entered appearance of Amicus Curiae Professor Andrew T. Guzman. [8511934] [12-10492, 12-10493, 12-10560, 12-10500, 12-10558, 12-10514, 12-10559] (RH) [Entered: 02/13/2013 09:34 AM]
- 02/13/2013 [30](#)
2 pg, 83.91 KB Filed clerk order: The amicus brief [\[28\]](#) submitted by Professor Andrew T. Guzman is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: green. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. [8511939] [12-10492, 12-10493, 12-10560, 12-10500, 12-10558, 12-10514, 12-10559] (RH) [Entered: 02/13/2013 09:36 AM]
- 02/14/2013 [31](#) Received 7 paper copies of Amicus brief [\[28\]](#) filed by Professor Andrew T. Guzman. [8515030] [12-10492, 12-10493, 12-10560, 12-10500, 12-10558, 12-10514, 12-10559] (SD) [Entered: 02/14/2013 03:24 PM]
- 02/25/2013 [32](#)
3 pg, 21.28 KB Filed (ECF) Appellant USA in 12-10558, Appellee USA in 12-10492, 12-10493, 12-10500, 12-10514, 12-10559, 12-10560 Motion to dismiss case voluntarily pursuant to FRAP 42(b). Date of service: 02/25/2013. [8524746] [12-10558, 12-10492, 12-10493, 12-10560, 12-10500, 12-10514, 12-10559] (Limarzi, Kristen) [Entered: 02/25/2013 11:26 AM]
- 02/25/2013 [33](#)
7 pg, 37.67 KB Submitted (ECF) Taiwan Federation of Industries Correspondence: Joinder to amicus brief. Date of service: 02/25/2013. [8524977] [12-10500, 12-10492, 12-10493, 12-10560, 12-10558, 12-10514, 12-10559]--[COURT UPDATE: Edited docket text to reflect content of filing. Resent NDA. 02/25/2013 by RY] (Handler, Carole) [Entered: 02/25/2013 12:49 PM]
- 02/26/2013 [34](#)
3 pg, 29.99 KB Filed clerk order (Deputy Clerk: KG): The government's motion to dismiss cross-appeal Nos. 12-10558, 12-10559, and 12-10560 is granted. These cross-appeals are dismissed. See Fed. R. App. P. 42(b). The following briefing schedule shall govern consolidated appeal Nos. 12- 10492, 12-10493, 12-10500, and 12-10514. The opening briefs have been filed. Appellee's answering brief remains due April 5, 2013; the optional reply briefs are due 14 days after service of appellee's brief. This order served on the district court shall act as and for the mandate of this court for cross-appeal Nos. 12-10558, 12-10559, and 12-10560. [8526203] [12-10492, 12-10493, 12-10500, 12-10514] (WL) [Entered: 02/26/2013 07:33 AM]
- 02/27/2013 [35](#)
1 pg, 23.9 KB Filed order (Appellate Commissioner): The unopposed motion of appellants Hui Hsiung and Hsuan Bin Chen for leave to file an oversized joint opening brief in nos. 12-10492 and 12-10493 is granted. The Clerk shall file the joint opening brief, consisting of 20,914 words from appellants Hui Hsiung and Hsuan Bin Chen. The motion of appellants AU Optronics Corporation and AU Optronics Corporation America for leave to file an oversized opening brief in nos.12-10500 and 12-10514 is granted. The Clerk shall file the opening brief, consisting of 19,832 from appellants AU Optronics Corporation and AU Optronics Corporation America. The briefing schedule issued on February 26, 2013 shall continue to govern these appeals. (Pro Mo) [8528373] [12-10492, 12-10493, 12-10500, 12-10514] (MS) [Entered: 02/27/2013 09:01 AM]
- 02/27/2013 [36](#)
2 pg, 83.07 KB Filed clerk order: The first brief on cross-appeal [\[24\]](#) submitted by Hui Hsiung in 12-10492, Hsuan Bin Chen in 12-10493 is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: blue. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. [8528469] [12-10492, 12-10493, 12-10500, 12-10514] (RH) [Entered: 02/27/2013 09:28 AM]
- 02/27/2013 [37](#)
2 pg, 83.94 KB Filed clerk order: The first brief on cross-appeal [\[25\]](#) submitted by AU Optronics Corporation in 12-10500, AU Optronics Corporation America, Inc. in 12-10514 is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: blue. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. The Court has reviewed the joint excerpts of record [\[25\]](#) submitted by appellants. Within 7 days of this order, filer is ordered to file 4 copies of the excerpts in paper format, with a white cover. The paper copies must be in the format described in 9th Circuit Rule 30-1.6. [8528499] [12-10492, 12-10493, 12-10500, 12-10514] (RH) [Entered: 02/27/2013 09:35 AM]
- 03/01/2013 [38](#) Received 7 paper copies of First Brief on Cross-Appeal brief [\[24\]](#) filed by Hui Hsiung in 12-10492, Hsuan Bin Chen in 12-10493. [8533389] [12-10492, 12-10493, 12-10500, 12-10514] (DB) [Entered: 03/01/2013 11:45 AM]
- 03/04/2013 [39](#) Filed Appellants' paper copies of joint excerpts of record [\[25\]](#) in 7 volume(s). [8536402] [12-10492, 12-10493, 12-10500, 12-10514] (RH) [Entered: 03/04/2013 04:37 PM]


- 03/04/2013 [40](#) Received 7 paper copies of First Brief on Cross-Appeal brief [\[25\]](#) filed by AU Optronics Corporation in 12-10500, AU Optronics Corporation America, Inc. in 12-10514. [8536647] [12-10492, 12-10493, 12-10500, 12-10514] (SD) [Entered: 03/05/2013 08:53 AM]
- 03/13/2013 [41](#)
3 pg, 19.34 KB Filed (ECF) Appellant Hui Hsiung Correspondence: Letter Regarding Oral Argument. Date of service: 03/13/2013 [8550029]--[COURT UPDATE: Spread docket text to 12-10500, 12-10493, 12-10514. Resent NDA. 03/14/2013 by RY] (Handman, Christopher) [Entered: 03/13/2013 06:17 PM]
- 04/05/2013 [42](#)
812 pg, 18.61 MB Submitted (ECF) Answering brief and Corrected Supplemental Excerpts of Record for review and filed Motion to file oversized brief. Submitted by Appellee USA in 12-10492. Date of service: 04/05/2013. [8579032] [12-10492, 12-10493, 12-10500, 12-10514]--[COURT UPDATE: replaced supplemental excerpts with corrected version from [\[46\]](#). 05/02/2013 by SS] (Limarzi, Kristen) [Entered: 04/05/2013 01:32 PM]
- 04/11/2013 [43](#)
6 pg, 35.72 KB Filed (ECF) Appellant Hui Hsiung in 12-10492, Appellant Hsuan Bin Chen in 12-10493, Appellant AU Optronics Corporation in 12-10500, Appellant AU Optronics Corporation America, Inc. in 12-10514 Motion to extend time to file Reply brief until 05/13/2013. Date of service: 04/11/2013. [8587440] [12-10492, 12-10493, 12-10500, 12-10514] (Handman, Christopher) [Entered: 04/11/2013 05:37 PM]
- 04/26/2013 [44](#)
1 pg, 26.96 KB Filed order (Appellate Commissioner): The government's unopposed motion for leave to file an oversized answering brief consisting of 31,555 words in granted. The Clerk shall file the answering brief. Appellants' joint unopposed motion for an extension of time to file the reply briefs is granted. The reply briefs are due May 13, 2013. Any subsequent motion shall contain a recital of the defendant's bail status. See 9th Cir. R. 27-8-1. (Pro Mo) [8607265] [12-10492, 12-10493, 12-10500, 12-10514] (MS) [Entered: 04/26/2013 04:42 PM]
- 04/29/2013 [45](#)
2 pg, 83.58 KB Filed clerk order: The answering brief [\[42\]](#) submitted by USA is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: red. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. The Court has reviewed the supplemental excerpts of record [\[42\]](#) submitted by USA. Within 7 days of this order, filer is ordered to file 4 copies of the excerpts in paper format, with a white cover. The paper copies must be in the format described in 9th Circuit Rule 30-1.6. [8607779] [12-10492, 12-10493, 12-10500, 12-10514] (RH) [Entered: 04/29/2013 10:32 AM]
- 05/02/2013 [46](#)
627 pg, 17.96 MB Filed (ECF) Appellee USA in 12-10492, 12-10493, 12-10500, 12-10514 Unopposed Motion for miscellaneous relief [Motion to File Corrected Supplemental Excerpts of Record]. Date of service: 05/02/2013. [8613298] [12-10492, 12-10493, 12-10500, 12-10514] (Limarzi, Kristen) [Entered: 05/02/2013 01:04 PM]
- 05/02/2013 [47](#)
2 pg, 25.64 KB Filed clerk order (Deputy Clerk: SS): Appellee's motion to file corrected supplemental excerpts of record is granted. Within 7 days of this order, appellee is ordered to file 4 copies of the corrected supplemental excerpts in paper format, with a white cover. The paper copies must be in the format described in 9th Circuit Rule 30-1.6. Appellee should not send in paper copies of the original supplemental excerpts submitted on April 5, 2013. The Clerk shall replace the electronic copy of the supplemental excerpts of record submitted on April 5, 2013 in docket entry [\[42\]](#) with the corrected version. [8614057] [12-10492, 12-10493, 12-10500, 12-10514] (SYS) [Entered: 05/02/2013 03:26 PM]
- 05/03/2013 [48](#) Received 7 paper copies of Answering brief [\[42\]](#) filed by USA. [8615235] [12-10492, 12-10493, 12-10500, 12-10514] (SD) [Entered: 05/03/2013 11:35 AM]
- 05/09/2013 [49](#) Filed Appellee USA paper copies of supplemental excerpts of record [\[42\]](#) in 3 volumes. [8622826] [12-10492, 12-10493, 12-10500, 12-10514] (RH) [Entered: 05/09/2013 11:22 AM]
- 05/13/2013 [50](#)
52 pg, 480.2 KB Submitted (ECF) Reply brief for review and filed Motion to file oversized brief. Submitted by Appellant AU Optronics Corporation in 12-10500, Appellant AU Optronics Corporation America, Inc. in 12-10514. Date of service: 05/13/2013. [8626301] [12-10500, 12-10492, 12-10493, 12-10514] (Riordan, Dennis) [Entered: 05/13/2013 12:55 PM]
- 05/13/2013 [51](#)
110 pg, 922.7 KB Submitted (ECF) Reply brief and Further Excerpts of Record for review and filed Motion to file oversized brief. Submitted by Appellant Hui Hsiung in 12-10492, Appellant Hsuan Bin Chen in 12-10493. Date of service: 05/13/2013. [8626455] [12-10492, 12-10493, 12-10500, 12-10514] (Handman, Christopher) [Entered: 05/13/2013 01:50 PM]
- 05/13/2013 [52](#)
1 pg, 23.13 KB Filed clerk order (Deputy Clerk: CB): The motion of the corporate defendants for leave to file an overlength brief is granted. The previously submitted brief shall be filed. The motion of the individual defendants for leave to file an overlength brief is granted in part. Within 21 days after the date of this order, the individual defendants may file a brief not to exceed 8,400 words. 9th Cir. R. 28-4. . [8626673] [12-10492, 12-10493, 12-10500, 12-10514] (KKW) [Entered: 05/13/2013 02:38 PM]


- 05/13/2013 [53](#)
2 pg, 81.32 KB
Filed clerk order: The reply brief [\[50\]](#) submitted by AU Optronics Corporation in 12-10500, AU Optronics Corporation America, Inc. in 12-10514 is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: gray. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. [8626822] [12-10492, 12-10493, 12-10500, 12-10514] (RH) [Entered: 05/13/2013 03:10 PM]
- 05/14/2013 [54](#)
Received 7 paper copies of Reply brief [\[50\]](#) filed by AU Optronics Corporation in 12-10500, 12-10514. [8629491] [12-10492, 12-10493, 12-10500, 12-10514] (SD) [Entered: 05/15/2013 09:13 AM]
- 05/16/2013 [55](#)
2 pg, 9.52 KB
Filed (ECF) Appellant Hui Hsiung in 12-10492, Appellant Hsuan Bin Chen in 12-10493 Correspondence: Request for case management conference. Date of service: 05/16/2013 [8631505] [12-10492, 12-10493, 12-10500, 12-10514] (Handman, Christopher) [Entered: 05/16/2013 12:18 PM]
- 05/23/2013 [56](#)
2 pg, 24.95 KB
Filed order (Appellate Commissioner): The letter submitted May 16, 2013 from counsel for appellants Hsiung and Chen requesting a case management conference is construed as a motion for reconsideration of the May 13, 2013 order granting only in part the motion for leave to file an oversized joint reply brief. So construed, the motion is granted. The Clerk shall file the joint oversized brief submitted on May 13, 2013. The request for a case management conference is denied as moot. (Appellate Commissioner) [8640107] [12-10492, 12-10493, 12-10500, 12-10514] (DL) [Entered: 05/23/2013 07:42 AM]
- 05/23/2013 [57](#)
3 pg, 91.96 KB
Filed clerk order: The reply brief [\[51\]](#) submitted by Hui Hsiung in 12-10492, Hsuan Bin Chen in 12-10493 is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: gray. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. [8640355] [12-10492, 12-10493, 12-10500, 12-10514] (RH) [Entered: 05/23/2013 09:42 AM]
- 05/23/2013 [58](#)
2 pg, 90.53 KB
Filed clerk order: The Court has reviewed the further excerpts of record [\[51\]](#) submitted by Hui Hsiung in 12-10492, Hsuan Bin Chen in 12-10493. Within 7 days of this order, filer is ordered to file 4 copies of the excerpts in paper format, with a white cover. The paper copies must be in the format described in 9th Circuit Rule 30-1.6. [8640365] [12-10492, 12-10493, 12-10500, 12-10514] (RH) [Entered: 05/23/2013 09:43 AM]
- 05/24/2013 [59](#)
Received 7 paper copies of Reply brief [\[51\]](#) filed by Hui Hsiung in 12-10492, Hsuan Bin Chen in 12-10493. [8642503] [12-10492, 12-10493, 12-10500, 12-10514] (SD) [Entered: 05/24/2013 11:16 AM]
- 05/24/2013 [60](#)
Filed Appellant Hui Hsiung in 12-10492, Appellant Hsuan Bin Chen in 12-10493 paper copies of supplemental excerpts of record [\[51\]](#) in 1 volume. [8644477] [12-10492, 12-10493, 12-10500, 12-10514] (RH) [Entered: 05/28/2013 01:51 PM]
- 07/17/2013 [61](#)
2 pg, 27.48 KB
Filed (ECF) notice of appearance of Neal Kumar Katyal for Appellant Hui Hsiung in 12-10492. Date of service: 07/17/2013. [8707535] [12-10492, 12-10493, 12-10500, 12-10514] (Katyal, Neal) [Entered: 07/17/2013 01:18 PM]
- 07/17/2013 [62](#)
Added attorney Neal Katyal for Hui Hsiung, in case 12-10492. [8707547] [12-10492, 12-10493, 12-10500, 12-10514] (MT) [Entered: 07/17/2013 01:20 PM]
- 07/17/2013 [63](#)
3 pg, 24.18 KB
Filed (ECF) Appellant Hui Hsiung in 12-10492 Correspondence: Letter Regarding Availability for Oral Argument. Date of service: 07/17/2013 [8707565] [12-10492, 12-10493, 12-10500, 12-10514] (Katyal, Neal) [Entered: 07/17/2013 01:30 PM]
- 08/06/2013 [65](#)
7 pg, 448.42 KB
Notice of Oral Argument on Friday, October 18, 2013 - 9:00 AM - Courtroom 1, 3rd Floor - James R. Browning US Courthouse - San Francisco, CA. Please return ACKNOWLEDGMENT OF HEARING NOTICE form to: SAN FRANCISCO Office. Please open attached documents to view details about your case. [8732696] [12-10492, 12-10493, 12-10500, 12-10514] (RB) [Entered: 08/06/2013 01:19 PM]
- 08/06/2013 [66](#)
1 pg, 41.12 KB
Filed (ECF) Acknowledgment of hearing notice. Location: San Francisco. Filed by Attorney Neal Katyal for Appellant Hui Hsiung in 12-10492. [8733480] [12-10492, 12-10493, 12-10500, 12-10514] (Katyal, Neal) [Entered: 08/06/2013 04:51 PM]
- 08/07/2013 [67](#)
1 pg, 37.93 KB
Filed (ECF) Acknowledgment of hearing notice. Location: San Francisco. Filed by Attorney Kristen Ceara Limarzi for Appellee USA in 12-10492. [8734096] [12-10492, 12-10493, 12-10500, 12-10514] (Limarzi, Kristen) [Entered: 08/07/2013 10:38 AM]
- 08/07/2013 [68](#)
1 pg, 19.24 KB
Filed (ECF) Acknowledgment of hearing notice. Location: San Francisco. Filed by Attorney Mr. Michael A. Attanasio for Appellant Hsuan Bin Chen in 12-10493. [8734102] [12-10493, 12-10492, 12-10500, 12-10514] (Attanasio, Michael) [Entered: 08/07/2013 10:41 AM]


- 08/07/2013 [69](#) Filed (ECF) Acknowledgment of hearing notice. Location: San Francisco. Filed by Attorney Dennis P. Riordan for Appellant AU Optronics Corporation in 12-10500, Attorney Dennis P. Riordan for Appellant AU Optronics Corporation America, Inc. in 12-10514. [8734218] [12-10500, 12-10492, 12-10493, 12-10514] (Riordan, Dennis) [Entered: 08/07/2013 11:14 AM]
1 pg, 28.93 KB
- 09/06/2013 [70](#) Filed (ECF) Appellant Hui Hsiung in 12-10492 Unopposed Motion for 46-5 exemption. Date of service: 09/06/2013. [8772067] [12-10492, 12-10493, 12-10500, 12-10514] (Katyal, Neal) [Entered: 09/06/2013 12:29 PM]
5 pg, 8.73 KB
- 09/25/2013 [71](#) Filed clerk order (Deputy Clerk: KKW): Hui Hsiung's unopposed motion for R. Craig Kitchen to participate in this matter is granted. [8795901] [12-10492, 12-10493, 12-10500, 12-10514] (KKW) [Entered: 09/25/2013 09:50 AM]
2 pg, 33.03 KB
- 09/25/2013 [72](#) REVISED Notice of Oral Argument on OCTOBER 18, 2013 SF Calendar - **NOTE NEW START TIME - 8:30 A.M.**. Please return ACKNOWLEDGMENT OF HEARING NOTICE form to: SAN FRANCISCO Office. Please open attached documents to view details about your case. [8796804] [12-10492, 12-10493, 12-10500, 12-10514] (KS) [Entered: 09/25/2013 02:46 PM]
6 pg, 411.88 KB
- 09/25/2013 [73](#) Filed (ECF) Acknowledgment of hearing notice. Location: San Francisco. Filed by Attorney Dennis P. Riordan for Appellant AU Optronics Corporation in 12-10500, Attorney Dennis P. Riordan for Appellant AU Optronics Corporation America, Inc. in 12-10514. [8796918] [12-10500, 12-10492, 12-10493, 12-10514] (Riordan, Dennis) [Entered: 09/25/2013 03:36 PM]
1 pg, 28.87 KB
- 09/25/2013 [74](#) Filed (ECF) Acknowledgment of hearing notice. Location: San Francisco. Filed by Attorney Mr. Michael A. Attanasio for Appellant Hsuan Bin Chen. [8797026]--[COURT UPDATE: Spread entry to consolidated cases. Resent notice. 09/25/2013 by ASW] (Attanasio, Michael) [Entered: 09/25/2013 04:16 PM]
1 pg, 19.32 KB
- 09/26/2013 [75](#) Filed (ECF) Acknowledgment of hearing notice. Location: San Francisco. Filed by Attorney Neal Katyal for Appellant Hui Hsiung in 12-10492. [8797270] [12-10492, 12-10493, 12-10500, 12-10514] (Katyal, Neal) [Entered: 09/26/2013 07:10 AM]
1 pg, 29.09 KB
- 09/26/2013 [76](#) Filed (ECF) Acknowledgment of hearing notice. Location: San Francisco. Filed by Attorney Kristen Ceara Limarzi for Appellee USA in 12-10492, 12-10493, 12-10500, 12-10514. [8797667] [12-10492, 12-10493, 12-10500, 12-10514] (Limarzi, Kristen) [Entered: 09/26/2013 10:07 AM]
1 pg, 37.34 KB
- 09/26/2013 [77](#) Filed (ECF) Appellant Hui Hsiung in 12-10492, Appellant Hsuan Bin Chen in 12-10493, Appellant AU Optronics Corporation in 12-10500, Appellant AU Optronics Corporation America, Inc. in 12-10514 Joint Motion for miscellaneous relief [Motion for Enlargement of Allotted Oral Argument Time]. Date of service: 09/26/2013. [8798950] [12-10492, 12-10493, 12-10500, 12-10514] (Katyal, Neal) [Entered: 09/26/2013 04:23 PM]
5 pg, 30.97 KB
- 10/02/2013 [78](#) Filed clerk order (Deputy Clerk: SM): The defendants' motion for enlargement of allotted oral argument time to thirty minutes per side is granted. [8805910] [12-10492, 12-10493, 12-10500, 12-10514] (SM) [Entered: 10/02/2013 09:17 AM]
2 pg, 32.65 KB
- 10/16/2013 [79](#) Filed (ECF) Appellant AU Optronics Corporation in 12-10500, Appellant AU Optronics Corporation America, Inc. in 12-10514 citation of supplemental authorities. Date of service: 10/16/2013. [8823585] [12-10500, 12-10492, 12-10493, 12-10514] (Riordan, Dennis) [Entered: 10/16/2013 02:37 PM]
3 pg, 70.13 KB
- 10/18/2013 [80](#) ARGUED AND SUBMITTED TO SIDNEY R. THOMAS, M. MARGARET MCKEOWN and VIRGINIA M. KENDALL. [8827570] [12-10492, 12-10493, 12-10500, 12-10514] (ER) [Entered: 10/18/2013 02:37 PM]
- 10/22/2013 [81](#) Filed (ECF) Appellant Hsuan Bin Chen in 12-10493, Appellant Hui Hsiung in 12-10492 Motion for bail pending Appeal. Date of service: 10/22/2013. [8831081] [12-10493, 12-10492] (Katyal, Neal) [Entered: 10/22/2013 12:25 PM]
85 pg, 318.61 KB
- 10/30/2013 [82](#) Filed (ECF) Appellee USA in 12-10492 response opposing motion (,motion for bail pending appeal or trial). Date of service: 10/30/2013. [8843531] [12-10492, 12-10493]--[COURT UPDATE: Spread entry to cons cases, resent notice. 10/30/2013 by ASW] (Limarzi, Kristen) [Entered: 10/30/2013 01:01 PM]
7 pg, 39.27 KB
- 10/31/2013 [83](#) Filed (ECF) Appellant Hui Hsiung in 12-10492, Appellant Hsuan Bin Chen in 12-10493 reply to response (, ,motion for bail pending appeal or trial). Date of service: 10/31/2013. [8845906] [12-10492, 12-10493] (Katyal, Neal) [Entered: 10/31/2013 03:16 PM]
6 pg, 29.3 KB
- 12/05/2013 [84](#) Filed order (SIDNEY R. THOMAS, M. MARGARET MCKEOWN and VIRGINIA M. KENDALL) Hui Hsiung and Hsuan Bin Chen (collectively "defendants") have filed a renewed motion for bail pending appeal pursuant to 18 U.S.C. § 3143(b).1 Bail pending appeal is appropriate if the defendants demonstrate "(1) that [they are] not likely to flee or pose a danger to the safety of any other person in the community if released; (2) that the appeal is not for purpose of delay; (3) that the appeal raises a substantial question of law or fact; and (4) that if that substantial question is determined favorably to defendant[s] on appeal, that decision is likely to result in reversal or an order for a new trial of all counts on which imprisonment has
4 pg, 58.72 KB


been imposed." United States v. Handy, 761 F.2d 1279, 1283 (9th Cir. 1985). The government opposes the defendants' motion, but raises no arguments regarding likelihood of flight, danger to the community, or delay..... Because the district court is most familiar with the defendants' circumstances, we remand to the district court for the limited purpose of considering and setting the terms and conditions of the defendants' release on bail pending appeal. In imposing terms and conditions of bail, the district court may, of course, consider all the appropriate factors to ensure that there is no likelihood of flight. Accordingly, the defendants' motion for bail pending appeal is GRANTED, subject to the terms and conditions imposed by the district court. (SEE ORDER FOR FULL TEXT) [8889538] [12-10492, 12-10493, 12-10500, 12-10514] (WL) [Entered: 12/05/2013 09:51 AM]


- 02/14/2014 [85](#) Terminated Heather S. Tewksbury for USA in 12-10492, USA in 12-10493, USA in 12-10500 and USA in 12-10514 (no longer with agency) [8979554] [12-10493, 12-10492, 12-10500, 12-10514] (RY) [Entered: 02/14/2014 01:54 PM]
- 02/20/2014 [86](#) Terminated John James Powers III for USA in 12-10492, USA in 12-10493, USA in 12-10500 and USA in 12-10514 (csl retired) [8985896] [12-10500, 12-10492, 12-10493, 12-10514] (ASW) [Entered: 02/20/2014 02:40 PM]
- 04/02/2014 [87](#) Filed (ECF) Appellant AU Optronics Corporation in 12-10500, Appellant AU Optronics Corporation America, Inc. in 12-10514 citation of supplemental authorities. Date of service: 04/02/2014. [9042068] [12-10500, 12-10492, 12-10493, 12-10514] (Riordan, Dennis) [Entered: 04/02/2014 03:52 PM]
10 pg, 232.37 KB
- 04/25/2014 [88](#) Filed (ECF) Appellee USA in 12-10492 citation of supplemental authorities. Date of service: 04/25/2014. [9072782] [12-10492, 12-10493, 12-10500, 12-10514] (Limarzi, Kristen) [Entered: 04/25/2014 01:16 PM]
24 pg, 114.9 KB
- 04/28/2014 [89](#) Filed (ECF) Appellant Hui Hsiung Motion to withdraw as counsel. Date of service: 04/28/2014. [9074058]--[COURT UPDATE: Spread entry to cons cases 12-10493 12-10500 12-10514, resent notice. 04/28/2014 by ASW] (Katyal, Neal) [Entered: 04/28/2014 10:42 AM]
2 pg, 4.32 KB
- 04/30/2014 [90](#) Filed order (SIDNEY R. THOMAS, M. MARGARET MCKEOWN and VIRGINIA M. KENDALL) The motion to withdraw the appearance of Christopher T. Handman as counsel is granted. [9078428] [12-10492, 12-10493, 12-10500, 12-10514] (SM) [Entered: 04/30/2014 03:00 PM]
2 pg, 33.67 KB
- 04/30/2014 [91](#) Terminated Christopher Todd Handman for Hui Hsiung in 12-10492 [9078444] [12-10492, 12-10493, 12-10500, 12-10514] (SM) [Entered: 04/30/2014 03:04 PM]
- 06/09/2014 [92](#) Filed (ECF) Appellee USA in 12-10492, 12-10493, 12-10500, 12-10514 citation of supplemental authorities. Date of service: 06/09/2014. [9125264] [12-10492, 12-10493, 12-10500, 12-10514] (Limarzi, Kristen) [Entered: 06/09/2014 03:33 PM]
55 pg, 299.22 KB
- 06/10/2014 [93](#) Filed (ECF) Appellant Hui Hsiung in 12-10492, Appellant Hsuan Bin Chen in 12-10493, Appellant AU Optronics Corporation in 12-10500, Appellant AU Optronics Corporation America, Inc. in 12-10514 citation of supplemental authorities. Date of service: 06/10/2014. [9127008] [12-10492, 12-10493, 12-10500, 12-10514] (Katyal, Neal) [Entered: 06/10/2014 03:17 PM]
3 pg, 18 KB
- 07/02/2014 [94](#) Filed (ECF) Appellee USA in 12-10492, 12-10493, 12-10500, 12-10514 citation of supplemental authorities. Date of service: 07/02/2014. [9153626] [12-10492, 12-10493, 12-10500, 12-10514] (Fredricks, James) [Entered: 07/02/2014 09:18 AM]
3 pg, 137.29 KB
- 07/10/2014 [95](#) FILED OPINION (SIDNEY R. THOMAS, M. MARGARET MCKEOWN and VIRGINIA M. KENDALL) AFFIRMED. Judge: MMM Authoring, FILED AND ENTERED JUDGMENT. [9163004] [12-10492, 12-10493, 12-10500, 12-10514] (RMM) [Entered: 07/10/2014 07:47 AM]
50 pg, 595.27 KB
- 07/16/2014 [96](#) Filed (ECF) Appellant AU Optronics Corporation in 12-10500, Appellant Hui Hsiung in 12-10492, Appellant Hsuan Bin Chen in 12-10493, Appellant AU Optronics Corporation America, Inc. in 12-10514 Motion to extend time to file petition for rehearing until 08/25/2014. Date of service: 07/16/2014. [9171391] [12-10500, 12-10492, 12-10493, 12-10514] (Riordan, Dennis) [Entered: 07/16/2014 12:59 PM]
6 pg, 78.47 KB
- 07/22/2014 [97](#) Filed order (SIDNEY R. THOMAS, M. MARGARET MCKEOWN and VIRGINIA M. KENDALL) The motion for an extension of time to file a petition for rehearing or petition for rehearing en banc is granted. Any petition for rehearing or petition for rehearing en banc is due on August 25, 2014. [9178071] [12-10492, 12-10493, 12-10500, 12-10514] (SM) [Entered: 07/22/2014 03:02 PM]
2 pg, 33.75 KB
- 08/25/2014 [98](#) Filed (ECF) Appellant Hui Hsiung in 12-10492, Appellant Hsuan Bin Chen in 12-10493 petition for panel rehearing and petition for rehearing en banc (from 07/10/2014 opinion). Date of service: 08/24/2014. [9218221] [12-10492, 12-10493, 12-10500, 12-10514] (Katyal, Neal) [Entered: 08/25/2014 04:25 PM]
71 pg, 186.76 KB
- 08/25/2014 [99](#) Filed (ECF) Appellant AU Optronics Corporation in 12-10500, Appellant AU Optronics Corporation America, Inc. in 12-10514 petition for rehearing en banc (from 07/10/2014 opinion). Date of service: 08/25/2014. [9218282] [12-10500, 12-10492, 12-10493, 12-10514] (Riordan, Dennis) [Entered: 08/25/2014 04:42 PM]
72 pg, 492.45 KB


08/25/2014  [100](#)
63 pg, 421.07 KB Filed (ECF) Appellant AU Optronics Corporation in 12-10500, Appellant AU Optronics Corporation America, Inc. in 12-10514 petition for panel rehearing (from 07/10/2014 opinion). Date of service: 08/25/2014. [9218295] [12-10500, 12-10492, 12-10493, 12-10514] --[COURT UPDATE: Updated docket text to reflect correct ECF filing type and removed motion (refiled in entry [101](#)). 08/27/2014 by TL] (Riordan, Dennis) [Entered: 08/25/2014 04:46 PM]


08/25/2014  [101](#)
5 pg, 47.47 KB Filed (ECF) Appellant AU Optronics Corporation in 12-10500, Appellant AU Optronics Corporation America, Inc. in 12-10514 Motion to file oversized petition for rehearing and/or petition for rehearing en banc. Date of service: 08/25/2014. [9221000] [12-10492, 12-10493, 12-10500, 12-10514] --[COURT ENTERED FILING to correct entry [100](#) .] (TYL) [Entered: 08/27/2014 12:26 PM]


08/29/2014  [102](#)
2 pg, 33.9 KB Filed order (SIDNEY R. THOMAS, M. MARGARET MCKEOWN and VIRGINIA M. KENDALL) The motion for leave to file an oversized petition for panel rehearing is granted. [9224402] [12-10492, 12-10493, 12-10500, 12-10514] (SM) [Entered: 08/29/2014 02:49 PM]


09/04/2014  [103](#)
20 pg, 253.6 KB Submitted (ECF) Amicus brief for review (by government or with consent per FRAP 29(a)). Submitted by CORNING INCORPORATED AND APPLIED MATERIALS, INC.. Date of service: 09/04/2014. [9229254] [12-10492, 12-10493, 12-10500, 12-10514] (Sunshine, Steven) [Entered: 09/04/2014 05:03 PM]


09/04/2014  [107](#)
4 pg, 104 KB Filed (ECF) Motion to file amicus letter brief. Submitted by The Ministry of Economic Affairs of the Republic of China. Date of service: 09/04/2014. [9229179] [12-10500, 12-10514] --[COURT UPDATE: Edited docket text to reflect content of filing and spread to case 12-10492 & 12-10493. 09/05/2014 by TL] (Zilversmit, Marc) [Entered: 09/04/2014 04:25 PM]


09/05/2014  [104](#)
2 pg, 13.78 KB Filed (ECF) Appellant Hui Hsiung in 12-10492 Motion to withdraw as counsel. Date of service: 09/05/2014. [9229435] [12-10492, 12-10493, 12-10500, 12-10514] (Katyal, Neal) [Entered: 09/05/2014 08:19 AM]


09/05/2014  105
Entered appearance of Amici Curiae Corning Incorporated and Applied Materials, Inc. [9229994] [12-10492, 12-10493, 12-10500, 12-10514] (GV) [Entered: 09/05/2014 11:33 AM]


09/05/2014  [106](#)
3 pg, 96.41 KB Filed clerk order: The amicus brief [103](#) submitted by Applied Materials, Inc. and Corning Incorporated is filed. Within 7 days of the filing of this order, filer is ordered to file 20 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: green. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. [9230035] [12-10492, 12-10493, 12-10500, 12-10514] (GV) [Entered: 09/05/2014 11:45 AM]


09/05/2014  108
Entered appearance of Amicus Curiae - Pending Ministry of Economic Affairs of the Republic of China . [9230379] [12-10500, 12-10492, 12-10493, 12-10514] (EL) [Entered: 09/05/2014 02:22 PM]


09/08/2014  [109](#)
2 pg, 33.88 KB Filed order (SIDNEY R. THOMAS, M. MARGARET MCKEOWN and VIRGINIA M. KENDALL) The motion to withdraw the appearance of Elizabeth B. Prelogar as counsel for Defendant-Appellant Hsu Hsiung is granted. [9232588] [12-10492, 12-10493, 12-10500, 12-10514] (SM) [Entered: 09/08/2014 04:52 PM]


09/08/2014  110
Terminated Elizabeth Prelogar for Hui Hsiung in 12-10492 [9232595] [12-10492, 12-10493, 12-10500, 12-10514] (SM) [Entered: 09/08/2014 04:55 PM]

09/09/2014  111
Received 20 paper copies of Amicus brief [103](#) filed by Applied Materials, Inc. and Corning Incorporated. [9234171] [12-10492, 12-10493, 12-10500, 12-10514] (GV) [Entered: 09/09/2014 03:25 PM]










09/10/2014  [112](#)
2 pg, 34.14 KB Filed order (SIDNEY R. THOMAS, M. MARGARET MCKEOWN and VIRGINIA M. KENDALL) The United States of America shall file a response to the petition for rehearing and rehearing en banc not exceeding fifteen (15) pages in length setting forth its position on whether this case should be reheard or reheard en banc. The United States shall file the response by October 1, 2014. [9235870] [12-10492, 12-10493, 12-10500, 12-10514] (SM) [Entered: 09/10/2014 03:55 PM]

09/23/2014  [113](#)
6 pg, 38.94 KB Filed (ECF) Appellee USA in 12-10492, 12-10493, 12-10500, 12-10514 Unopposed Motion to extend time to file a response until 10/15/2014 at 11:59 pm. Date of service: 09/23/2014. [9250661] [12-10492, 12-10493, 12-10500, 12-10514] (Limarzi, Kristen) [Entered: 09/23/2014 02:33 PM]

10/02/2014  [114](#)
2 pg, 33.6 KB Filed order (SIDNEY R. THOMAS, M. MARGARET MCKEOWN and VIRGINIA M. KENDALL) The government's motion for a 14-day extension to file its response to the petition for rehearing and rehearing en banc is GRANTED. [9263351] [12-10492, 12-10493, 12-10500, 12-10514] (SM) [Entered: 10/02/2014 01:19 PM]

10/10/2014  [115](#)
41 pg, 112.3 KB Filed (ECF) Appellee USA in 12-10492, 12-10493, 12-10500, 12-10514 response to Combo PFR Panel and En Banc (ECF Filing) ,Combo PFR Panel and En Banc (ECF Filing) for panel and en banc rehearing, for panel and en banc rehearing (statistical entry), Petition for Rehearing En Banc (ECF Filing) ,Petition for Rehearing En Banc (ECF Filing) for rehearing by en banc only (all active, any interested senior judges), Petition for Panel Rehearing (ECF Filing) ,Petition for Panel Rehearing (ECF Filing) for rehearing by panel only. Date of service: 10/10/2014. [9273696]. [12-10492, 12-10493, 12-10500, 12-10514] (Limarzi, Kristen)

[Entered: 10/10/2014 02:18 PM]

- 10/10/2014  [116](#)
7 pg, 31.7 KB Filed (ECF) Appellee USA in 12-10492, 12-10493, 12-10500, 12-10514 Unopposed Motion to file oversized brief. Date of service: 10/10/2014. [9273711] [12-10492, 12-10493, 12-10500, 12-10514] (Limarzi, Kristen) [Entered: 10/10/2014 02:21 PM]
- 10/14/2014  [117](#)
2 pg, 33.49 KB Filed order (SIDNEY R. THOMAS, M. MARGARET MCKEOWN and VIRGINIA M. KENDALL): The government's motion for leave to file an oversized brief in opposition to the petitions for rehearing and rehearing en banc is GRANTED. [9276544] [12-10492, 12-10493, 12-10500, 12-10514] (AF) [Entered: 10/14/2014 04:56 PM]
- 10/16/2014  [118](#)
4 pg, 63.49 KB Filed (ECF) Appellant AU Optronics Corporation in 12-10500, Appellant AU Optronics Corporation America, Inc. in 12-10514 Motion for miscellaneous relief [Motion for Leave to File Reply in Support of Petition for Rehearing]. Date of service: 10/16/2014. [9278983] [12-10500, 12-10492, 12-10493, 12-10514] --[COURT UPDATE: Removed reply (refiled in entry [119](#))]. 10/16/2014 by TL (Riordan, Dennis) [Entered: 10/16/2014 11:25 AM]
- 10/16/2014  [119](#)
7 pg, 86.52 KB Filed (ECF) Appellant AU Optronics Corporation in 12-10500, Appellant AU Optronics Corporation America, Inc. in 12-10514 Correspondence: Reply in support of petition for panel rehearing. Date of service: 10/16/2014 [9279293] [12-10492, 12-10493, 12-10500, 12-10514] --[COURT ENTERED FILING to correct entry [118](#) .] (TYL) [Entered: 10/16/2014 01:22 PM]
- 10/17/2014  [120](#)
2 pg, 33.42 KB Filed order (SIDNEY R. THOMAS, M. MARGARET MCKEOWN and VIRGINIA M. KENDALL) Defendant AU Optronics's motion for leave to file a reply in support of its petition for panel rehearing is GRANTED. [9281251] [12-10492, 12-10493, 12-10500, 12-10514] (SM) [Entered: 10/17/2014 02:42 PM]
- 01/30/2015  [121](#)
47 pg, 221.08 KB Filed order and amended opinion (SIDNEY R. THOMAS, M. MARGARET MCKEOWN and VIRGINIA M. KENDALL). Amending Disposition Opinion AFFIRMED. The opinion filed on July 10, 2014, is amended. The amended opinion is filed concurrently with this order. The full court has been advised of the petition for rehearing en banc and no judge has requested a vote on whether to rehear the matter. The petition for panel rehearing and the petition for rehearing en banc are DENIED. No further petitions for panel rehearing or petitions for rehearing en banc will be entertained. [9402226] [12-10492, 12-10493, 12-10500, 12-10514] (RMM) [Entered: 01/30/2015 07:14 AM]
- 02/11/2015  [123](#)
2 pg, 194.99 KB MANDATE ISSUED.(SRT, MMM and VMK) [9417995] [12-10492, 12-10493, 12-10500, 12-10514] (MT) [Entered: 02/11/2015 01:29 PM]
- 03/17/2015  [124](#)
1 pg, 52.22 KB Received notice from the Supreme Court: petition for certiorari filed on 03/16/2015. Supreme Court Number 14-1121. [9460850] [12-10492, 12-10493, 12-10500, 12-10514] (RR) [Entered: 03/17/2015 02:19 PM]
- 06/16/2015  [125](#)
1 pg, 61.46 KB The petition for writ of certiorari was denied on 06/15/2015. Supreme Court number 14-1121. **(Panel: SRT, MMM and VMK)**. [9577090] [12-10492, 12-10493, 12-10500, 12-10514] (RR) [Entered: 06/16/2015 05:47 PM]

Clear All

- Documents and Docket Summary
- Documents Only

Include Page Numbers

Selected Pages: 0

Selected Size: 0 KB

View Selected
