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8
9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION
12

13 UNITED STATES OF AMERICA)

No. CR 11-0488 RS

14)
15 v.)

~~PROPOSED~~ ORDER
EXCLUDING TIME FROM
DECEMBER 20, 2011 TO
JUNE 18, 2012

16 EAGLE EYES TRAFFIC INDUSTRIAL CO., LTD.;)
17 E-LITE AUTOMOTIVE, INC.;)
18 HOMY HONG-MING HSU; and)
YU-CHU LIN, aka David Lin,)

19)
20 Defendants.)
21)

22 The defendant, Homy Hong-Ming Hsu, represented by Becky Walker James, and the
23 defendants Eagle Eyes Traffic Industrial Co., Ltd. (“Eagle Eyes”) and E-Lite Automotive, Inc.
24 (“E-Lite”), represented by Kenneth Julian, appeared before Magistrate Judge Joseph Spero on
25 December 20, 2011, for initial appearance and arraignment on the Superseding Indictment filed
26 November 30, 2011. Also on December 20, 2011, Mr. Hsu, Eagle Eyes, and E-Lite appeared
27 before Judge Richard Seeborg. During that appearance, trial in this matter was set for June 18,
28 2012.

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The government and the defendants Mr. Hsu, Eagle Eyes, and E-Lite have made a joint request to exclude time under the Speedy Trial Act between December 20, 2011 and June 18, 2012, for effective preparation of counsel to allow defense counsel time to review discovery and to conduct necessary investigation to prepare for trial.

Based upon the representation of counsel and for good cause shown, the Court finds that failing to exclude the time between December 20, 2011 and June 18, 2012 would unreasonably deny the defendants and counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B).

The Court further finds that the ends of justice served by excluding the time between December 20, 2011 and June 18, 2012 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

Therefore, IT IS HEREBY ORDERED that the time between December 20, 2011 and June 18, 2012 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (B).

DATED: _ 12/27 _____, 2011



HONORABLE RICHARD SEEBORG
United States District Court Judge