

General Docket
United States Court of Appeals for the Ninth Circuit

Court of Appeals Docket #: 12-10500		Docketed: 10/04/2012	
USA v. AU Optronics Corporation			
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-10			
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:
10/02/2012	10/02/2012	09/28/2012	10/01/2012
Prior Cases:			
None			
Current Cases:			
	Lead	Member	Start
Consolidated			End
	12-10492	12-10493	12/21/2012
	12-10492	12-10500	12/21/2012
	12-10492	12-10514	01/16/2013

UNITED STATES OF AMERICA
 Plaintiff - Appellee,

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v.

AU OPTRONICS CORPORATION AMERICA, INC.

Terminated: 11/01/2012

Defendant - Appellant,

AU OPTRONICS CORPORATION

Defendant - Appellant,

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,















v.

AU OPTRONICS CORPORATION,

Defendant - Appellant.

10/04/2012	1 14 pg, 291.1 KB	DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. Reporters Transcript required: Yes. Sentence imposed: 3 Years Probation. Transcript ordered by 10/19/2012. Transcript due 11/19/2012. Appellant briefs and excerpts due by 12/28/2012 for AU Optronics Corporation. 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. [8347754] (HC)
10/04/2012	2 2 pg, 23.68 KB	Filed (ECF) notice of appearance of Kristen C. Limarzi for Appellee USA. Date of service: 10/04/2012. [8348912] (KCL)
10/04/2012	3	Added attorney Kristen Ceara Limarzi for USA, in case 12-10500. [8348927] (EL)
10/04/2012	4 2 pg, 23.34 KB	Filed (ECF) notice of appearance of James J. Fredricks for Appellee USA. Date of service: 10/04/2012. [8349069] (JJF)
10/04/2012	5	Added attorney James Joseph Fredricks for USA, in case 12-10500. [8349078] (EL)
10/09/2012	6 2 pg, 23.42 KB	Filed (ECF) notice of appearance of John J. Powers III for Appellee USA. Date of service: 10/09/2012. [8352302] (JJP)
10/09/2012	7	Added attorney John James Powers III for USA, in case 12-10500. [8352321] (EL)
11/01/2012	8	Appellant AU Optronics Corporation America, Inc. in 12-10500 and Appellant AU Optronics Corporation America, Inc. in 12-10558 substituted by Appellant AU Optronics Corporation in 12-10500 and Appellant AU Optronics Corporation in 12-10558 [8385131] [12-10500, 12-10558] (BY)
11/01/2012	9 2 pg, 23.87 KB	Filed clerk order (Deputy Clerk: BY): The above referenced cases are cross appeals. The parties should comply with the following cross appeal briefing schedule: Defendant AU Optronics first brief on cross appeal is due on December 28, 2012; Plaintiff USA's second brief on cross appeal is due on January 28, 2013; Defendant's third brief on cross appeal is due on February 27, 2013; the optional reply brief is due 14 days after service of the third brief on cross appeal. [8385193] [12-10500, 12-10558] (BY)
12/11/2012	10 8 pg, 201.76 KB	Filed (ECF) Appellant AU Optronics Corporation in 12-10500, Appellee AU Optronics Corporation in 12-10558 Motion to consolidate cases 12-10514; 12-10492 and 12-10559; 12-10493 and 12-10560, Motion to extend time to file Opening brief until 02/04/2013. Date of service: 12/11/2012. [8434330] [12-10500, 12-10558] (DPR)
12/21/2012	11 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)
12/31/2012	12 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] (MAA)
12/31/2012	13 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] (CTH)
01/07/2013	14 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] (KCL)
01/11/2013	15 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] (MAA)
01/11/2013	16 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] (CTH)

- 01/22/2013 [17](#)
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)
- 02/04/2013 [18](#)
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] (CTH)
- 02/04/2013 [19](#)
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] (DPR)
- 02/06/2013 [20](#)
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] (JS)
- 02/11/2013 [21](#)
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] (CEH)
- 02/11/2013 [22](#)
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] (JS)
- 02/13/2013 [23](#)
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)
- 02/13/2013 [24](#)
2 pg, 83.91 KB Filed clerk order: The amicus brief [\[22\]](#) 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)
- 02/14/2013 [25](#)
Received 7 paper copies of Amicus brief [\[22\]](#) filed by Professor Andrew T. Guzman. [8515030] [12-10492, 12-10493, 12-10560, 12-10500, 12-10558, 12-10514, 12-10559] (SD)
- 02/25/2013 [26](#)
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] (KCL)
- 02/25/2013 [27](#)
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] (CEH)
- 02/26/2013 [28](#)
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)
- 02/27/2013 [29](#)
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)

- 02/27/2013  [30](#)
2 pg, 83.07 KB Filed clerk order: The first brief on cross-appeal [\[18\]](#) 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)
- 02/27/2013  [31](#)
2 pg, 83.94 KB Filed clerk order: The first brief on cross-appeal [\[19\]](#) 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 [\[19\]](#) 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)
- 03/01/2013  [32](#) Received 7 paper copies of First Brief on Cross-Appeal brief [\[18\]](#) filed by Hui Hsiung in 12-10492, Hsuan Bin Chen in 12-10493. [\[8533389\]](#) [12-10492, 12-10493, 12-10500, 12-10514] (DB)
- 03/04/2013  [33](#) Filed Appellants' paper copies of joint excerpts of record [\[19\]](#) in 7 volume(s). [\[8536402\]](#) [12-10492, 12-10493, 12-10500, 12-10514] (RH)
- 03/04/2013  [34](#) Received 7 paper copies of First Brief on Cross-Appeal brief [\[19\]](#) 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)
- 03/13/2013  [35](#)
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] (CTH)
- 04/05/2013  [36](#)
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 [\[40\]](#). 05/02/2013 by SS] (KCL)
- 04/11/2013  [37](#)
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] (CTH)
- 04/26/2013  [38](#)
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)
- 04/29/2013  [39](#)
2 pg, 83.58 KB Filed clerk order: The answering brief [\[36\]](#) 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 [\[36\]](#) 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)
- 05/02/2013  [40](#)
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] (KCL)
- 05/02/2013  [41](#)
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 [\[36\]](#) with the corrected version. [\[8614057\]](#) [12-10492, 12-10493, 12-10500, 12-10514] (SS)
- 05/03/2013  [42](#) Received 7 paper copies of Answering brief [\[36\]](#) filed by USA. [\[8615235\]](#) [12-10492, 12-10493, 12-10500, 12-10514] (SD)
- 05/09/2013  [43](#) Filed Appellee USA paper copies of supplemental excerpts of record [\[36\]](#) in 3 volumes. [\[8622826\]](#) [12-10492, 12-10493, 12-10500, 12-10514] (RH)

05/13/2013 [44](#) 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] (DPR)
52 pg, 480.2 KB

05/13/2013 [45](#) 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] (CTH)
110 pg, 922.7 KB

05/13/2013 [46](#) 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)
1 pg, 23.13 KB

05/13/2013 [47](#) Filed clerk order: The reply brief [\[44\]](#) 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)
2 pg, 81.32 KB

05/14/2013 [48](#) Received 7 paper copies of Reply brief [\[44\]](#) filed by AU Optronics Corporation in 12-10500, 12-10514. [8629491] [12-10492, 12-10493, 12-10500, 12-10514] (SD)

05/16/2013 [49](#) 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] (CTH)
2 pg, 9.52 KB

05/23/2013 [50](#) 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)
2 pg, 24.95 KB

05/23/2013 [51](#) Filed clerk order: The reply brief [\[45\]](#) 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)
3 pg, 91.96 KB

05/23/2013 [52](#) Filed clerk order: The Court has reviewed the further excerpts of record [\[45\]](#) 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)
2 pg, 90.53 KB

05/24/2013 [53](#) Received 7 paper copies of Reply brief [\[45\]](#) filed by Hui Hsiung in 12-10492, Hsuan Bin Chen in 12-10493. [8642503] [12-10492, 12-10493, 12-10500, 12-10514] (SD)

05/24/2013 [54](#) Filed Appellant Hui Hsiung in 12-10492, Appellant Hsuan Bin Chen in 12-10493 paper copies of supplemental excerpts of record [\[45\]](#) in 1 volume. [8644477] [12-10492, 12-10493, 12-10500, 12-10514] (RH)

07/17/2013 [55](#) 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] (NK)
2 pg, 27.48 KB

07/17/2013 [56](#) Added attorney Neal Katyal for Hui Hsiung, in case 12-10492. [8707547] [12-10492, 12-10493, 12-10500, 12-10514] (MT)

07/17/2013 [57](#) 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] (NK)
3 pg, 24.18 KB


08/06/2013 [59](#) 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)
7 pg, 448.42 KB


08/06/2013 [60](#) 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] (NK)
1 pg, 41.12 KB


08/07/2013 [61](#) 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] (KCL)
1 pg, 37.93 KB


08/07/2013 [62](#) 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] (MAA)


08/07/2013  [63](#)
1 pg, 28.93 KB 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] (DPR)


09/06/2013  [64](#)
5 pg, 8.73 KB 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] (NK)


09/25/2013  [65](#)
2 pg, 33.03 KB 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)


09/25/2013  [66](#)
6 pg, 411.88 KB 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)


09/25/2013  [67](#)
1 pg, 28.87 KB 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] (DPR)


09/25/2013  [68](#)
1 pg, 19.32 KB 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] (MAA)


09/26/2013  [69](#)
1 pg, 29.09 KB 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] (NK)


09/26/2013  [70](#)
1 pg, 37.34 KB 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] (KCL)


09/26/2013  [71](#)
5 pg, 30.97 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 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] (NK)

10/02/2013  [72](#)
2 pg, 32.65 KB 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)

10/16/2013  [73](#)
3 pg, 70.13 KB 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] (DPR)

10/18/2013  74
ARGUED AND SUBMITTED TO SIDNEY R. THOMAS, M. MARGARET MCKEOWN and VIRGINIA M. KENDALL. [8827570] [12-10492, 12-10493, 12-10500, 12-10514] (ER)

10/30/2013  [75](#)
7 pg, 39.27 KB 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] (KCL)

12/05/2013  [76](#)
4 pg, 58.72 KB 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 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)

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