BENJAMIN B. WAGNER
United States Attorney
KIRK E. SHERRIFF
HENRY Z. CARBAJAL III
CHRISTOPHER D. BAKER
Assistant United States Attorneys
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. JULIE DIANNE FARMER, Defendant.	CASE NO. 1:11-CR-0026 LJO STIPULATION & ORDER CONTINUING TRIAL DATE AND RESETTING PRETRIAL DATES Old Trial Date: Feb. 4, 2014 New Trial Date: April 8, 2014 Time: 8:30am Court: Four (Hon. Lawrence J. O'Neill)

Plaintiff the United States of America ("government") and defendant JULIE DIANNE FARMER, by and through their respective counsel of record, jointly stipulate as follows:

1. Defendant Farmer asserts that, despite defense counsel's diligence and best efforts to complete investigation steps for trial, the defense needs additional time (i) to further investigate matters addressed in interview reports produced by the government, (ii) to designate expert witnesses on handwriting, if necessary based on such further investigation, (iii) to hold the further hearing regarding the remaining proposed testimony of Dr. Terrell, (iv) to provide additional time for the government to designate an expert witness responsive to Dr. Terrell, if necessary, and (v) to designate rebuttal experts, if necessary, regarding the government's four expert witnesses.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

2. The government and defendant Farmer stipulate and jointly request that the Court order that the trial date be continued to April 8, 2014, and that the following additional deadlines be set in this case:

   a. Feb. 10, 2014, at 11:00am: Hearing regarding the remaining proposed testimony of Dr. Terrell.

   b. Feb. 18, 2014: Designation of any rebuttal expert witnesses due.

   c. March 10, 2014: Motions in limine (if any) due regarding newly designated expert witnesses.

   d. March 17, 2014: Oppositions due re motions in limine.

   e. March 24, 2014: Joint proposed jury instructions, proposed disputed jury instructions, objections to disputed jury instructions, and proposed verdict form(s) and objections thereto (if any) to be filed and served.

   f. March 31, 2014, at 11:00am: Hearing on proposed disputed jury instructions and proposed verdict form, and on motions in limine (if any). (The parties have previously exchanged proposed jury instructions and verdict forms in this case and have met and conferred on these matters. The parties currently believe that there may be certain limited disputed issues to be addressed with the Court. The parties will continue to confer regarding the jury instructions and verdict form and will promptly notify the Court if this hearing can be vacated).

   g. April 1, 2014: Witness lists, proposed voir dire, and trial briefs to be filed and served.

   h. April 3, 2014: Exhibit lists and exhibit binders to be served.

3. The government and defendant Farmer stipulate and jointly request that the Court find the following:

   a. Counsel for defendant believes that failure to grant the above-requested continuance would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

   b. The government does not object to the continuance.

c. The Court has previously declared this to be a complex case, in part based on the volume of discovery and evidence in the case. In addition, based on the above-stated grounds, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

d. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of the present date through April 8, 2014, inclusive, is deemed excludable pursuant to 18 U.S.C.§ 3161(h)(7)(A), & B(ii), (iv), because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

e. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

4. The parties stipulate and jointly agree that there will be no further continuance of the trial date, absent extraordinary circumstances.

IT IS SO STIPULATED.

Dated: Jan. 24, 2014

Respectfully Submitted,

BENJAMIN B. WAGNER
United States Attorney

/s/ Anthony P. Capozzi
ANTHONY P. CAPOZZI
Law Offices of Anthony P. Capozzi
Attorney for defendant Julie Dianne Farmer

/s/ Kirk E. Sherriff
KIRK E. SHERRIFF
HENRY Z. CARBAJAL III
CHRISTOPHER D. BAKER
Assistant United States Attorneys

ORDER

Good cause appearing, IT IS SO FOUND AND ORDERED. The trial in this case is continued from Feb. 4, 2014 to April 8, 2014, and new pretrial deadlines are set as listed above.

IT IS SO ORDERED.

Dated: **January 27, 2014**

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE