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Interim Federal Public Defender  
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3 REBECCA M. ABEL (Bar No. 298604)  
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4 Deputy Federal Public Defenders  
3801 University Avenue, Suite 700  
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7 Attorneys for Defendant  
CHARLES LYNCH

8  
9 **UNITED STATES DISTRICT COURT**  
10 **CENTRAL DISTRICT OF CALIFORNIA**  
11 **WESTERN DIVISION**

12  
13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 CHARLES LYNCH,

17 Defendant.

Case No. CR 07-689-GW

**STIPULATION TO CONTINUE  
SCHEDULE; PROPOSED ORDER**

18  
19 IT IS HEREBY STIPULATED AND AGREED by and between Defendant,  
20 Charles Lynch, through his counsel of record, Rebecca M. Abel and Angela  
21 Viramontes, Deputy Federal Public Defenders, and Plaintiff United States of America,  
22 by and through its counsel of record, Assistant United States Attorney for the Central  
23 District of California David Kowal, that:

24 1. On September 11, 2020, the Court entered a new scheduling order setting  
25 forth dates for discovery and motion practice pertaining to the matters on remand.  
26 (Dkt. No. 521.)  
27  
28

1           2.     On May 4, 2020, the parties reciprocally disclosed the experts they intend  
2 to rely on, the basis for their expertise, and the subjects of their testimony.

3           3.     Following the defense’s review of the government’s initial expert  
4 disclosure, the defense disclosed a supplemental expert on August 28, 2020, who the  
5 defense expects will provide evidence and testimony in support of the defense’s initial  
6 expert opinions, as well as evidence and testimony to rebut the opinions the  
7 government expects to offer.

8           4.     By this stipulation, the parties seek to extend the remaining deadlines for  
9 motion practice and the evidentiary hearing by three months.

10          5.     The defense’s experts, and in particular the supplemental expert disclosed  
11 on August 28, 2020, need additional time to complete their analysis of the factual  
12 record, prepare their declarations in support of the defendant’s motion to enjoin  
13 spending, and respond to the arguments raised in the government’s expert disclosure.

14          6.     Defense counsel also learned that two of the defense’s experts are  
15 unavailable for an in-person appearance on the previously scheduled evidentiary  
16 hearing date—January 7, 2021—due to pre-scheduled vacations and preexisting work  
17 obligations.

18          7.     The defense also needs additional time due to the delays caused by the  
19 COVID-19 pandemic. Specifically, due to the suspension of jury trials in the Central  
20 District of California and the repeated delay of jury trials, unavoidable conflicts have  
21 been created in defense counsels’ trial schedules, making the evidentiary hearing date  
22 currently scheduled in this matter unworkable. For example, Deputy Federal Public  
23 Defender Rebecca M. Abel is scheduled to have a jury trial on January 12, 2021 for an  
24 in-custody defendant in United States v. Dale Scott, Case No. 19-CR-779-VAP, who  
25 has been awaiting trial since prior to the closure caused by the COVID-19 pandemic.  
26 Deputy Federal Public Defender Angela Viramontes is scheduled to have a two-week  
27 jury trial on February 16, 2021 in United States v. John Olivas, ED CR 18-231-JGB,  
28 who has been awaiting trial since prior to the closure caused by the COVID-19

1 pandemic.

2 8. Finally, on October 13, 2020, defense counsel conferred with Assistant  
3 United States Attorney David Kowal regarding this stipulation. The government agrees  
4 to and had input in preparing the proposed schedule.

5 9. The parties therefore jointly request a continuance of the remaining dates  
6 set in the scheduling order to accommodate the schedules of the parties' counsel and  
7 anticipated witnesses. The parties request the following modification of the schedule:

	Date Currently Set	Requested Date
8 9 10 11 12 13 14 15 16 17 18 19 20 21	Deadline for Expert Discovery:	Completed
	Completed	Completed
	Defendant's Motion to Enjoin Spending:	October 8, 2020
		December 21, 2020
	Government's Opposition to Motion to Enjoin Spending:	November 5, 2020
		January 28, 2021
	Defendant's Reply to Motion to Enjoin Spending:	December 3, 2020
		February 25, 2021
	Final Discovery Cut Off	December 17, 2020
		March 11, 2021
	Status Conference	December 28, 2021 at 9:30 a.m.
		March 22, 2021 at 9:30 a.m.
	Evidentiary Hearing	January 7, 2020 at 9:30 a.m.
		April 1, 2021 at 9:30 a.m.

22 10. The parties represents that this request is not for the purposes of the delay,  
23 but a reasonable period to complete their work in light of an exercise of due diligence  
24 and the factors identified herein.

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1 For these reasons, the parties respectfully request the Court continue the dates set  
2 in the scheduling order as outlined above.

3 Respectfully submitted,

4 CUAUHTEMOC ORTEGA  
5 Interim Federal Public Defender

6 DATED: October 14, 2020

7 By /s/ Rebecca M. Abel

8 REBECCA M. ABEL  
9 ANGELA VIRAMONTES  
10 Deputy Federal Public Defenders  
11 Attorneys for Defendant CHARLES LYNCH

12 NICOLA T. HANNA  
13 United States Attorney

14 DATED: October 14, 2020

15 By /s/ David Kowal

16 DAVID KOWAL  
17 Assistant United States Attorney  
18 Attorney for UNITED STATES OF AMERICA  
19 (signed with authority by email dated October 13,  
20 2020)

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9 **UNITED STATES DISTRICT COURT**  
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13 UNITED STATES OF AMERICA,

14 Plaintiff,

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17 Defendant.

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Case No. CR 07-689-GW

**[PROPOSED] SCHEDULING  
ORDER**

1 Based on the stipulation of the parties, the Court CONTINUES the dates set in  
2 the Scheduling Order as follows:

3		
4	Defendant's Motion to Enjoin Spending:	December 21, 2020
5		
6	Government's Opposition to Motion to Enjoin Spending:	January 28, 2021
7		
8	Defendant's Reply to Motion to Enjoin Spending:	February 25, 2021
9		
10	Final Discovery Cut Off	March 11, 2021
11		
12	Status Conference	March 22, 2021 at 9:30 a.m.
13		
14	Evidentiary Hearing	April 1, 2021 at 9:30 a.m.
15		

16  
17 IT IS SO ORDERED.

18  
19 DATED: October \_\_\_\_, 2020

20 \_\_\_\_\_  
21 HONORABLE GEORGE H. WU  
22 United States District Judge  
23  
24  
25  
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# Stipulation

[2:07-cr-00689-GW USA v. Lynch et al](#) **CASE CLOSED on 04/30/2010**

CLOSED

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

## Notice of Electronic Filing

The following transaction was entered by Abel, Rebecca on 10/14/2020 at 10:21 AM PDT and filed on 10/14/2020

**Case Name:** USA v. Lynch et al  
**Case Number:** [2:07-cr-00689-GW](#)  
**Filer:** Dft No. 1 - Charles C. Lynch  
**Document Number:** [522](#)

### Docket Text:

**STIPULATION to Continue Date In Scheduling Order of September 11, 2020 filed by Defendant Charles C. Lynch (Attachments: # (1) Proposed Order)(Abel, Rebecca)**

### 2:07-cr-00689-GW-1 Notice has been electronically mailed to:

Alexandra W Yates alex@ayateslaw.com, alexandra\_yates@fd.org, Lorena\_Macias@fd.org

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David P Kowal USACAC.Criminal@usdoj.gov, CaseView.ECF@usdoj.gov, david.kowal@usdoj.gov

Rasha Gerges Shields rgergesshields@jonesday.com

Rebecca M Abel rebecca\_abel@fd.org

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### 2:07-cr-00689-GW-1 Notice has been delivered by First Class U. S. Mail or by other means **BY THE FILER** to :

The following document(s) are associated with this transaction:

#### Document description:Main Document

**Original filename:**C:\fakepath\2020-10-14 Lynch - Stip to Continue.pdf

#### Electronic document Stamp:

[STAMP cacdStamp\_ID=1020290914 [Date=10/14/2020] [FileNumber=30713396-0] [9fb61325c6e9b0b9c26eb6ad8d528402d04a73ad319f735953e8e0ed7ef103e6308a03886b392f714d58d835a823a5e5dc767fad78f2fc4e27a3aca10278fa64]]

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[STAMP cacdStamp\_ID=1020290914 [Date=10/14/2020] [FileNumber=30713396-1] [2c33a2025a109835c12f03a0b51e3cb9d44b7e820dc03b3bb2171aff718e5c33735e75e565d28355a488ff1b442f560c301facd1d1c133b1b8f4cb16cf92b62]]

