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13 Attorneys for United States of America

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION
17

18 UNITED STATES OF AMERICA,) NO.: 3:20-mj-71049 MAG
)
19 Plaintiff,) STIPULATION AND PROPOSED ORDER
) CONTINUING PRELIMINARY HEARING AND
20 v.) EXCLUDING TIME UNDER THE SPEEDY TRIAL
) ACT AND FEDERAL RULE OF CRIMINAL
21 NIMA FAZELI,) PROCEDURE 5.1(c) AND (d)
)
22 Defendant.)
)

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24 This matter is currently set for a preliminary hearing February 8, 2021, at 10:30am. The parties
25 are currently negotiating a potential resolution of this matter, and they stipulate and agree to a further
26 continuance of the preliminary hearing to allow for further negotiations. The parties therefore propose
27 that the hearing currently set for February 8, 2021 be continued to March 8, 2021, at 10:30am. The
28 parties further stipulate and agree that the time from February 8, 2021, to March 8, 2021, should be

1 excluded under Federal Rule of Criminal Procedure 5.1 and the Speedy Trial Act. The government has
2 made an initial production of discovery, which defense counsel is reviewing. For these reasons, the
3 parties stipulate and agree that excluding time until March 8, 2021, will allow for the effective
4 preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv); FRCP 5.1(c) and (d). The parties further
5 stipulate and agree that the ends of justice served by excluding time through March 8, 2021, from
6 computation under the Speedy Trial Act and Federal Rule of Criminal Procedure 5.1(c) and (d)
7 outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §§
8 3161(h)(7)(A), (B)(iv).

9 The undersigned Assistant United States Attorney certifies that he has obtained approval from
10 counsel for the defendant to file this stipulation and proposed order.

11 IT IS SO STIPULATED

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13 DATED: February 1, 2021

Respectfully submitted,

14 DAVID L. ANDERSON
15 United States Attorney

16 /s/
17 ANDREW F. DAWSON
18 Assistant United States Attorney

19
20 DATED: February 1, 2021

/s/
21 MARTIN SABELLI
22 Attorney for the Defendant

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PROPOSED ORDER

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2 Based upon the representations of counsel and for good cause shown, the Court continues the
3 preliminary hearing in this matter from February 8, 2021, to March 8, 2021, at 10:30am. The Court
4 finds that failing to exclude the time through March 8, 2021 would unreasonably deny defense counsel
5 and the defendant the reasonable time necessary for effective preparation, taking into account the
6 exercise of due diligence. 18 U.S.C. §3161(h)(7)(B)(iv). The Court further finds that the ends of justice
7 served by excluding the time through March 8, 2021, from computation under the Speedy Trial Act and
8 Federal Rule of Criminal Procedure 5.1(c) and (d) outweighs the best interests of the public and the
9 defendant in a speedy trial. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED
10 that time from February 8, 2021, to March 8, 2021, shall be excluded from computation under the
11 Speedy Trial Act and Federal Rule of Criminal Procedure 5.1(c) and (d). 18 U.S.C. §§ 3161(h)(7)(A),
12 (B)(iv); FRCP 5.1(c),(d).

13 IT IS SO ORDERED.

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15 DATED: February 1, 2021 _____



16 THE HONORABLE LAUREL BEELER
17 United States Magistrate Judge
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