

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CRIMINAL MINUTES - GENERAL

Case No.	CR 10-1031(A) AHM	Date	February 11, 2011
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Present: The Honorable A. HOWARD MATZ

Interpreter _____

Kendra Bradshaw

Deputy Clerk

Not Reported

Court Reporter/Recorder, Tape No.

Not Present

Assistant U.S. Attorney

U.S.A. v. Defendant(s):

Present Cust. Bond

Attorneys for Defendants:

Present App. Ret.

(1) Enrique Faustino Aguilar Noriega

(2) Angela Maria Gomez Aguilar

X

Stephen Larson

X

(3) Lindsey Manufacturing Company

Jan Lawrence Handzlik

X

(4) Dr. Keith E. Lindsey

X

Jan Lawrence Handzlik

X

(5) Steven K. Lee

X

Janet Levine

X

Proceedings: IN CHAMBERS (No Proceedings Held)

The Court DENIES the Lindsey Defendants' *Ex Parte* Application to Quash Grand Jury Subpoenas (Docket # 173), but only on the following conditions, which the Court ORDERS the Government fully and precisely to observe.

- (1) At the upcoming trial, the Government may not proffer or refer to any newly-obtained evidence derived from the testimony of *any* witness before any grand jury session conducted after the return of the First Superseding Indictment on October 21, 2010. This prohibition extends to all witnesses, not just witnesses Kwok, Spillane, Brown, Boutarasy, and Lela Lindsey. "Newly obtained evidence" means evidence that the Government did not have as of October 21, 2010.
- (2) The Government may not, and shall not, question any witness about any business and financial relationship that the Lindsey Manufacturing Company had with Enrique Aguilar, Angela Maria Gomez Aguilar, Grupo Internacional de Asesores ("Grupo"), Comision Federal de Electricidad ("CFE"), Nestor Moreno, Arturo Hernandez, or Sorville International.

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- (3) The Government may not, and shall not, question any witness about any of the other events that directly form the basis for the charges contained in the first superseding indictment.
- (4) The Government shall file under seal a transcript or transcripts of the grand jury testimony it obtains from the aforementioned witnesses, and it shall do so by not later than one week before the start of trial.
- (5) The Government may not point to or rely on whatever evidence it obtains at the upcoming grand jury sessions to seek or obtain a continuance of the trial date.

Initials of Deputy Clerk _____ : _____
SMO