

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CRIMINAL POST-TRIAL MINUTES

Date: August 25, 2006

Case No.: CR 03-0095-WBS

Judge: William B. Shubb

Title: UNITED STATES -v- AMR MOHSEN (present, in custody)

ALY MOHSEN (not present [waived], not in custody)

Attorneys: Robin Harris - for USA

John Balazs - for Amr Mohsen

Marc Zilversmit - for Amr Moshen

Christian Picone - for Aly Mohsen

Deputy Clerk: Edward Butler Court Reporter: Catherine Edwards Time: 10:32 - 11:21 a.m.

PROCEEDINGS

The matter before the court is the Further Hearing re: Defendant Amr Mohsen's Motion for Substitution of Counsel (#588, filed 7/20/06). The court has recently received Amr Mohsen's Notice of Substitution of Attorney as to Amr Mohsen (#599), filed 8/22/06.

SUMMARY

The court confirms with the defendant that he wishes to have Marc Zilversmit and Dennis Riordan as substitute counsel for Mr. Balazs and Bruce Locke.

Mr. Zilversmit requests a continuance of 90 days to allow time for review of the trial transcript and to supplement the pending Motion for New Trial. The request is DENIED. Counsel Zilversmit states that he and Mr. Riordan cannot be prepared for argument of the motion for new trial, or for sentencing, as the current schedule stands.

**The court will hear oral argument September 15, 2006, at 10:30 a.m. regarding the motion for new trial** [Def. Amr Mohsen's Motion for Acquittal and New Trial, #571, filed 4/14/06]. Sentencing for both defendants will be CONTINUED for a later date, to be determined. Mr. Balazs and Mr. Locke will remain in this case as counsel and will present argument at the Sept. 15 hearing. The court will allow Mr. Zilversmit to file a new motion for substitution of counsel if he or Mr. Riordan decide to present the oral argument on 9/15/06; no new or supplemental filings regarding the motion for new trial will be allowed, however.

The court will discuss the status of the Presentence Report with the Probation Officer before setting the sentencing date. The court confirms that Mr. Balazs will arrange the interview of Amr Mohsen by the probation officer. Mr. Picone has a date currently set for Aly Mohsen's interview.

At the request of counsel, defendant Aly Mohsen's presence is waived for the 9/15/06 hearing.

cc: U.S. Probation Office