

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA
JAMES KNOLL GARDNER, DISTRICT JUDGE

APPLICATION FOR CONTINUANCE

INSTRUCTIONS:

1. Please type or print legibly.
2. Counsel of record and unrepresented parties must sign.
3. Applying counsel or unrepresented party shall (a) complete Sections I, II and III; (b) obtain a new date certain from Judge Gardner's chambers; (c) obtain agreement of all counsel and unrepresented parties to the new date; and (d) insert new agreed date and time on the "DATE/TIME" line in Section V.
4. Other counsel of record and unrepresented parties shall complete Section IV, indicating whether "UNOPPOSED" or "OPPOSED", and specifying the reasons for any opposition.
5. This form may be submitted in multiple parts.

I. APPLICATION IS MADE TO CONTINUE THE FOLLOWING CASE(S):

United States of America

VS

Sholom Rubashkin

CASE NO: Crim. No. 07-CR-00498-2

COMPANION CASE NO(S):

CASE SCHEDULED ON DATE July 21, 2008 TIME 10:00 a.m.

BEFORE JUDGE JAMES KNOLL GARDNER

TYPE OF PROCEEDING (CHECK BELOW)

☐ ARGUMENT

☐ NON-JURY TRIAL

☐ RULE 16 OFFICE
PRE-TRIAL CONFERENCE

☐ HEARING

☐ PLEA HEARING

☐ RULE 16 TELEPHONE
STATUS CONFERENCE

☐ JURY TRIAL

☐ RULE 16 OFFICE
STATUS CONFERENCE

☐ RULE 16 TELEPHONE
PRE-TRIAL CONFERENCE

JUN 27 2008

MICHAEL E. KUNZ, Clerk

By ☐ SETTLEMENT CONFERENCE

☐ OTHER

II. NUMBER OF PREVIOUS CONTINUANCES BY PLAINTIFF BY DEFENDANT One
BY THIRD PARTY PLAINTIFF BY THIRD PARTY DEFENDANT

III. APPLICATION IS MADE FOR THE FOLLOWING REASON(S):

Additional time is needed to pay balance of \$450,000 restitution required by plea agreement; \$100,000 in restitution has been paid to date.

William J. Winning 6/25/08
APPLYING PARTY: PLEASE PRINT AND SIGN DATE
Telephone: 215-665-2093

Sholom Rubashkin
REPRESENTING

IV. APPLICATION IS UNOPPOSED/~~OPPOSED~~ FOR THE FOLLOWING REASON(S):

Continued to November 3, 2008 at 2:00 p.m.

Michelle Morgan-Kelly, AUSA

6/25/08

United States of America

OPPOSING PARTY: PLEASE PRINT AND SIGN

DATE

REPRESENTING

Telephone: 215-861-8458

Catherine Votaw for MMK 6/25/08
OPPOSING PARTY: PLEASE PRINT AND SIGN DATE

USA

REPRESENTING

Telephone: 215-861-8458

CATHERINE VOTAW for
MICHELLE MORGAN-KELLY

V. ACTION TAKEN BY THE COURT:

NOW, June 27, 2008

☒ APPLICATION IS GRANTED AND THE CASE IS CONTINUED

☐ APPLICATION DENIED

☐ NO FURTHER CONTINUANCES

☒ TO November 3, 2008 at 2:00 p.m.
DATE/TIME

James Knoll Gardner
JUDGE