

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

---

UNITED STATES OF AMERICA,

v.

I. LEWIS LIBBY,

Defendant.

---

)  
)  
)  
)  
) Criminal No. 05-394 (RBW)  
)  
)  
)  
)  
)

**ORDER**

Currently before the Court is the defendant's Motion to Continue the Trial Date. For the following reasons, the Court defers its ruling on the motion.

On February 3, 2006, this Court set January 8, 2007, as the date on which trial of this action will commence. February 3, 2006 Order. In order to avoid a possible conflict with another commitment of one of his attorneys, the defendant seeks a thirty-five day continuance of this trial date. Specifically, the defendant represents that one of his attorneys is scheduled to commence a criminal trial on September 11, 2006, in the Northern District of California, which might take longer to complete than originally anticipated. It is this Court's understanding, after consultation with the chambers of the judge in the District Court in California who will preside over defense counsel's other case, that the parties in that action will be given a firm trial schedule during an August 31, 2006 pretrial conference, and that after that pretrial conference the defendant's attorney will be able to better represent the anticipated length of that trial.

Accordingly, it is hereby this 30th day of June, 2006,

**ORDERED** that the Court will defer ruling on the defendant's request until after the

August 31, 2006 pretrial conference. It is further

**ORDERED** that the defendant's attorney shall notify the Court following the pretrial conference in the Northern District of California of the anticipated completion date of the case in which defendant's counsel will be a participant in that District. It is further

**ORDERED** that until this motion is resolved, the parties shall continue to keep their calendars available for this trial to commence anytime between January 8, 2007 and February 12, 2007, and the proceeding for four to five weeks thereafter.<sup>1</sup>

**SO ORDERED.**

---

REGGIE B. WALTON  
United States District Judge

---

<sup>1</sup> The Court has great reservations about continuing this case for the period of time requested by the defendant. The Court was given recent authorization to maintain on its staff the law clerk who has been assigned to this case until mid-February, which has been the anticipated completion date of this case if it commences as currently scheduled. Therefore, unless it becomes absolutely necessary to continue this case, the Court is loath to do so because of the hardship a continuance would create for the Court if it loses the services of the clerk assigned to this case before the trial is completed.