

1 John Hanusz (SBN 277367)
HANUSZ LAW, PC
2 515 South Flower Street, Suite 3500
Los Angeles, California 90071
3 Telephone: (213) 204-4200
Email: john@hanuszlaw.com
4

5 Michael G. Freedman (SBN 281279)
THE FREEDMAN FIRM PC
1801 Century Park East, Suite 450
6 Los Angeles, California 90067
Telephone: (310) 285-2210
7 Facsimile: (310) 425-8845
Email: michael@thefreedmanfirm.com
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9 Attorneys for Raymond Chan
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12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 RAYMOND CHAN,

18 Defendant.
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Case No. 20CR-00326-JFW

UNOPPOSED *EX PARTE*
APPLICATION TO CONTINUE
SENTENCING HEARING;
DECLARATION OF COUNSEL

23 COMES NOW Raymond Chan, through his counsel of record, and hereby
24 applies to this Court *ex parte* to continue sentencing in this matter from June 10,
25 2024 to October 4, 2024, with the parties' respective sentencing memoranda due
26 two weeks prior, on September 20, 2024, and the parties' joint statement
27 regarding restitution due three weeks prior, on September 13, 2024.
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The government does not oppose this request.

This application is based on the attached declaration of counsel.

Dated: May 17, 2024

Respectfully submitted,

s/ John Hanusz
John Hanusz
Attorney for Raymond Chan

s/ Michael G. Freedman
Michael G. Freedman
Attorney for Raymond Chan

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DECLARATION OF COUNSEL

I, John Hanusz, declare and state:

1. Along with Michael G. Freedman, I represent Raymond Chan in this matter. I am licensed to practice in the State of California, and admitted to practice before this Court.

2. Mr. Chan’s sentencing is currently scheduled for June 10, 2024. Given the facts of the case, the complex legal issues pertaining to Mr. Chan’s sentencing, and Mr. Chan’s significant sentencing exposure, the defense anticipates that the sentencing submissions will be lengthy and complex, and will require a great deal of time and effort. Moreover, the defense is still in the process of gathering documentary evidence and letters from professional colleagues, friends, family, co-workers, and other individuals to present to the Court for its consideration at sentencing.

3. Moreover, defense counsel are in the process of preparing for a number of upcoming trials. I am counsel in *United States v. Zea Londono*, Case No. CR20-239-TJH, an honest services fraud conspiracy case set for trial on July 16, 2024. I am also counsel in *United States v. Cruz Hernandez, et al.*, Case No. CR19-117-ODW, a multidefendant racketeering/murder case set for trial on September 10, 2024. I believe that both of those trial dates are firm. In addition, I have prepaid international travel from July 28-August 11, 2024. Mr. Freedman has similar conflicts based on his trial schedule as follows: *United States v. Perez*, Case No. CR19-35-JGB, an honest services fraud case set for July 2, 2024; *United States v. Weaver, et al.*, Case No. CR19-527-ODW, a multi-defendant healthcare fraud case set for August 13, 2024, although a continuance is possible, none has been agreed to or granted; *Calzona v. Odyssey*, Case No. 22CECG01617, a contract action in Fresno Superior Court set for September 23, 2024.

1 4. Given counsel’s current responsibilities and calendar conflicts, and
2 the need to fully brief and present all of the relevant sentencing issues, Mr. Chan
3 respectfully requests that the Court continue his sentencing to October 4, 2024.

4 5. Mr. Freedman and I met and conferred with the government
5 regarding this request, and the government has informed us that it does not oppose
6 this request. Additionally, the parties agreed to request that their respective
7 sentencing positions be due two weeks prior to the sentencing hearing, on
8 September 20, 2024, and their joint statement regarding restitution be due three
9 weeks prior to the sentencing hearing, on September 13, 2024. The parties have
10 already begun meeting and conferring regarding restitution. Finally, we informed
11 the government that we will file our initial objections to the PSR on May 20,
12 2024, with further briefing to follow in our sentencing position.

13 I declare under penalty of perjury under the laws of the State of California
14 and the United States that the foregoing facts are true and correct.
15 Executed, this, the 17th day of May, 2024, at Los Angeles, California.

16 *s/ John Hanusz*
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John Hanusz