

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW HAMPSHIRE

U.S. DISTRICT COURT
DISTRICT OF N.H.
FILED

2009 FEB -4 A 10: 37

UNITED STATES OF AMERICA

V.

HOWARD KATZ

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#08-CR-159-SM

ASSENTED TO MOTION TO CONTINUE SENTENCING FOR A PERIOD OF 90
DAYS

COMES NOW the defendant, by and through counsel, and respectfully requests that this Court continue the Sentencing for a period of 30 days with regard to the above-captioned matter.

As grounds for, and in support of this Motion, the defendant states as follows:

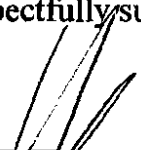
1. The Defendant pleaded guilty on December 14, 2008, to one count of health care fraud in violation of 18 U.S.C. § 1346. Sentencing is currently scheduled for March 16, 2009.

2. Immediately after his guilty plea, Defendant began cooperating with the United States. To date, the United States has deemed Defendant's cooperation to be significant, useful, timely, and reliable. The United States has indicated to defense counsel that it anticipates further cooperation from the Defendant extending beyond his current sentencing date.

Therefore, the Defendant requests that the Court extend the currently-scheduled March 16, 2009 sentencing hearing, for 90 days.

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Respectfully submitted,



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STATEMENT OF CONCURRENCE

Defense counsel's staff has spoken with Attorney Seth Aframe and he has no objection to this continuance.



Mark L. Sisti

RULE 11 CERTIFICATION

Because of the nature of this Motion, no supporting memorandum of law is necessary.



Mark L. Sisti

CERTIFICATION

I HEREBY CERTIFY that a copy of the foregoing Motion has been forwarded this 3rd day of February, 2009 to Seth Aframe, Esq., U.S. Attorney's Office, via U.S. Mail.



Mark L. Sisti