

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

February 18, 2010

Before

KENNETH F. RIPPLE, *Circuit Judge*

DANIEL A. MANION, *Circuit Judge*

JOHN DANIEL TINDER, *Circuit Judge*

FEDERAL TRADE COMMISSION,] Appeal from the United
Plaintiff-Appellee,] States District Court for
] the Northern District of
No. 10-1383	v.] Illinois, Eastern Division.
]
KEVIN TRUDEAU,] No. 1:03-cv-03904
Defendant-Appellant.]
] Robert W. Gettleman,
] Judge.

The following are before the court:

1. **DEFENDANT/APPELLANT KEVIN TRUDEAU'S EMERGENCY MOTION FOR RELEASE PENDING APPEAL**, filed February 17, 2010, by counsel for the appellant.
2. **DEFENDANT/APPELLANT KEVIN TRUDEAU'S MEMORANDUM IN SUPPORT OF HIS EMERGENCY MOTION FOR RELEASE PENDING APPEAL**, filed February 17, 2010, by counsel for the appellant.
3. **DEFENDANT/APPELLANT KEVIN TRUDEAU'S EMERGENCY MOTION FOR EXPEDITED APPEAL AND FOR STAY OF IMPOSITION OF SENTENCE**, filed on February 17, 2010, by counsel for the appellant.
4. **DEFENDANT/APPELLANT KEVIN TRUDEAU'S MEMORANDUM IN SUPPORT OF EMERGENCY MOTION FOR EXPEDITED APPEAL AND FOR STAY OF IMPOSITION OF SENTENCE**, filed on February 17, 2010, by counsel for the appellant.

IT IS ORDERED that #1 and #3 are **GRANTED** to the extent that this court grants the appellant release pending appeal, pursuant to 18 U.S.C. § 3143. The release is conditioned on the following requirements: the appellant shall cease any solicitation of emails or other contacts with the district judge and not call for any new contacts, and the appellant shall continue to post bond for \$50,000 and surrender his passport.

IT IS FURTHER ORDERED that this appeal is **EXPEDITED**. Oral argument will be heard on February 23, 2010, at 2:30 p.m. Each party shall have fifteen minutes. Briefing will proceed as follows:

1. Simultaneous opening briefs for the appellant and appellee and the appellant's required short appendix are due no later than noon on February 22, 2010.
2. The reply brief for the appellant, if any, is due no later than 10:00 a.m. on February 23, 2010.

The parties are advised that the briefs must be received in the clerk's office and served on the opposing party by the specified dates and times. Fed. R. App. P. 25(a)(2)(B)(i) does not apply. No extensions of time will be granted.

The clerk of this court shall distribute a copy of this order to the assigned merits panel.

Note: Circuit Rule 31(e) (amended Dec. 1, 2001) requires that counsel tender a digital copy of a brief, from cover to conclusion, at the time the paper copies are tendered for filing. The file must be a text based PDF (portable document format), which contains the entire brief from cover to conclusion. Graphic based scanned PDF images do not comply with this rule and will not be accepted by the clerk.

Rule 26(c), Fed. R. App. P., which allows three additional days after service by mail, does not apply when the due dates for briefs are specifically set by order of this court. All briefs are due by the dates ordered.