

FOR PUBLICATION

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

TRAVELERS CASUALTY AND SURETY
COMPANY,

Appellant,

v.

PACIFIC GAS AND ELECTRIC
COMPANY,

Appellee.

No. 04-15605

D.C. No.
CV-03-03499-PJH
Northern District of
California,
San Francisco

ORDER

On Remand From The United States Supreme Court

Filed May 8, 2008

Before: Stephen Reinhardt and Sidney R. Thomas,
Circuit Judges, and Jane A. Restani,* Judge.

ORDER

This case is hereby resubmitted.

Pursuant to the judgment of the United States Supreme Court issued on March 20, 2007 in *Travelers Casualty & Surety Co. of America v. Pacific Gas & Electric Co.*, ___ U.S. ___, 127 S.Ct. 1199, 167 L.Ed.2d 178 (2007), we vacate our disposition at 167 Fed.Appx. 593 (9th Cir. 2006), vacate the district court's decision as well as the bankruptcy court's decision, and remand to the district court with instructions to remand to the bankruptcy court for further proceedings consistent with the opinion of the Supreme Court.

*The Honorable Jane A. Restani, Chief Judge, United States Court of International Trade, sitting by designation.

We do not reach any issue presented by the parties, leaving those questions for the consideration of the bankruptcy court in the first instance.

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