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14 **UNITED STATE DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
 15 **SAN FRANCISCO/OAKLAND DIVISION**

16 **UNITED STATES OF AMERICA,**)
 17)
Plaintiff,)
 18)
v.)
 19)
GONZALES & GONZALES BONDS)
 20 **AND INSURANCE AGENCY, INC., and**)
 21 **Defendants.**)

CASE NO. CV-09-4029 EMC

STATUS CONFERENCE
STATEMENT ; ORDER REOPENING
 CASE AND SETTING
 CMC

22 _____)
 23)
GONZALES & GONZALES BONDS)
 24 **AND INSURANCE AGENCY, INC., and**)
 25 **AMERICAL SURETY COMPANY, INC.,**)
 26 **Counter-Plaintiffs,**)

27 **v.**)
 28 **UNITED STATED DEPARMENT**)
OF HOMELAND SECURITY, RAND BEERS,)
in his capacity as ACTING SECRETARY)

1 **OF THE UNITED STATES DEPARTMENT**)
2 **OF HOMLAND SECURITY,**)
3 **Counter-Defendants.**)

4 **STATUS CONFERENCE STATEMENT**

5 Pursuant to the Court's September 25, 2012 Order, dkt. 141 at 12:19 ("the Remand Order"),
6 as modified by the Court's November 8, 2012 Order, dkt. 144, the parties submit this status
7 conference statement. On January 23, 2013, Gonzales & Gonzales/American Surety Company
8 (G&G/ASC) sent the Department of Homeland Security (DHS) 59 DVDs containing briefs
9 presenting its bond breach defenses on the 59 bond breach determinations that were subject to the
10 Remand Order. DHS has now completed its review and issued its resulting decisions on its 59 bond
11 breach determinations.
12

13 Pursuant to the Remand Order, dkt. 141 at 13:11, the parties now seek to have the case re-
14 opened for purposes of judicial determination of issues presented in the various decisions following
15 remand, id. at 13:4-5. Once the case is re-opened, the parties respectfully request a status conference
16 on or after April 15, 2014, based on the Court's availability. The parties have agreed to submit to
17 the Court a joint statement setting forth their respective positions (to the extent there is any
18 disagreement) on how best to proceed with a presentation of the issues for the Court's review and
19 adjudication, and will do so 7 days before the status conference set by the Court. The parties believe
20 that this approach will allow for an efficient streamlining of issues and efficient management of the
21 case.
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3 Dated: March 10, 2014

4 **ROXBOROUGH, POMERANCE,**
5 **NYE & ADREANI**
6 /s/ Gary A. Nye
7 **GARY A. NYE**
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10 Gonzales Bonds and Insurance
11 Agency, Inc. and American
12 Surety Company, Inc.

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Attorneys for the United States of America

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18 IT IS SO ORDERED that the Clerk of the Court is directed to reopen this case. A
19 case management conference is set for 4/24/14 at 10:30 a.m. An updated joint
cmc statement shall be filed by 4/17/14.

20 Edward M. Chen
21 U.S. District Judge
22 Dated: 3/21/14

