

1 Gary A. Nye, Esq. (Cal. Bar No. 126104) <gan@rpnalaw.com>
 David R. Ginsburg, Esq. (Cal. Bar No. 210900) <drg@rpnalaw.com>
 2 ROXBOROUGH, POMERANCE, NYE & ADREANI, LLP
 3 5820 Canoga Avenue, Suite 250
 Woodland Hills, California 91367
 4 Tel: (818) 992-9999; Fax: (818) 992-9991

5 Attorneys for Defendants/Counterclaimants

6 UNITED STATES DEPARTMENT OF JUSTICE
 Kirk Manhardt
 7 E. Kathleen Shahan <Kathie.Shahan@usdoj.gov>
 John Siemietkowski <John.Siemietkowski@usdoj.gov>
 8 Frances M. McLaughlin <Frances.McLaughlin@usdoj.gov>
 Commercial Litigation Branch, Civil Division
 9 P.O. Box 875
 10 Washington, D.C. 20044-0875
 11 Tel: (202) 514-3368; Fax: (202) 514-9163

12 Attorneys for Plaintiff/Counter-Defendants

13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

16 UNITED STATES OF AMERICA,

17 Plaintiff,

18 vs.

19 GONZALES & GONZALES BONDS
 AND INSURANCE AGENCY, INC. and
 20 AMERICAN SURETY COMPANY, INC.,

21 Defendants.

22 _____
 23 GONZALES & GONZALES BONDS
 AND INSURANCE AGENCY, INC. and
 24 AMERICAN SURETY COMPANY, INC.

25 Counterclaimants,

26 vs.

27 UNITED STATES DEPARTMENT OF
 HOMELAND SECURITY, et al.

28 Counterdefendants.

Case No. C 09-04029 EMC

Assigned to the
Honorable Edward M. Chen

**STIPULATION AND [PROPOSED]
 ORDER MODIFYING BRIEFING
 SCHEDULE SET FORTH IN THE
 CIVIL MINUTES OF OCTOBER 1, 2015**

1 Pursuant to Civil L.R. 6-1, 6-2, and 7-12, the parties, by and through their respective
2 counsel of record, stipulate and agree as follows:

3 1. The Court's Civil Minutes dated October 1, 2015, provide that if the parties are
4 unable to resolve a dispute over the methodology of fees and penalties, defendants are to file
5 their motion on the issue by November 5, 2015, and plaintiff is to file its opposition by
6 November 29, 2015, which is a Sunday. A hearing on the motion and further case management
7 conference is set for December 17, 2015. Dkt. No. 263.

8 2. The parties seek to enlarge the deadlines set forth in the Civil Minutes, and
9 propose that the due date for defendant's brief be set for November 12, 2015, and the due date
10 for plaintiff's opposition be set for December 3, 2015.

11 3. The parties make this request because defendants seek an additional week to file
12 their brief, as well as additional time to continue meet and confer efforts. Plaintiff's request the
13 additional time so that work on any opposition need not take place around the Thanksgiving
14 holiday.

15 4. This is the first proposed time modification regarding this briefing schedule.

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 5. The requested enlargement of time would not affect the schedule for the case.

2
3 IT IS SO STIPULATED.

4
5 Dated: October 26, 2015

6 ROXBOROUGH, POMERANCE, NYE & ADREANI, LLP

7 /s/ Gary A. Nye

8 GARY A. NYE

9 DAVID R. GINSBURG

10 Attorneys for Defendants/Counterclaimants

11 Gonzales & Gonzales Bonds and Insurance

12 Agency, Inc. and American Surety Company, Inc.

Benjamin C. Mizer

Principal Deputy

Assistant Attorney General

Civil Division

MELINDA HAAG

United States Attorney

/s/ John J. Siemietkowski

KIRK MANHARDT

E. KATHLEEN SHAHAN

(D.C. Bar No. 267872)

JOHN J. SIEMIETKOWSKI

(PA Bar. No. 50346)

FRANCES M. MCLAUGHLIN

(FL Bar No. 0256640)

U.S. Department of Justice

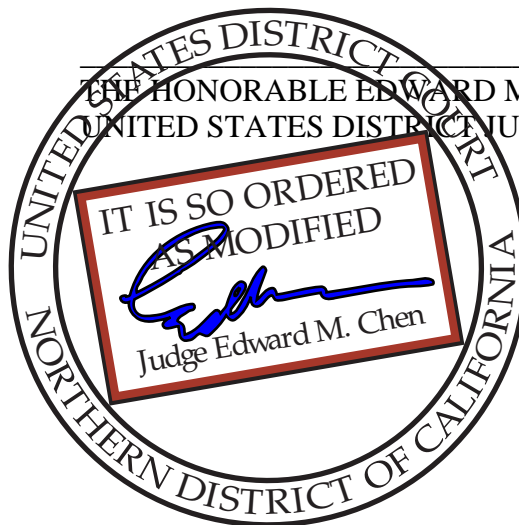
Commercial Litigation Branch

Attorneys for the United States of
America

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PURSUANT TO STIPULATION, IT IS SO ORDERED. Defendant's brief due 11/11/15.
Plaintiff's response due 11/25/15.
Motion hearing set for 12/17/15 at 1:30 p.m.

Dated: 10/26/15



THE HONORABLE EDWARD M. CHEN
UNITED STATES DISTRICT JUDGE