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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO/OAKLAND DIVISION**

10 UNITED STATES OF AMERICA,) CASE NO. CV-09-04029 MHP
 11)
 12 Plaintiff,)

13 v.) **SECOND STIPULATION**
 14) **ENLARGING TIME FOR**
 15) **UNITED STATES TO FILE**
 16) **ANSWER TO COUNTERCLAIM**
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 19)
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GONZALES & GONZALES BONDS)
 INSURANCE AGENCY, INC., and)
 AMERICAN SURETY COMPANY, INC.,)
 Defendants.)

GONZALES & GONZALES BONDS)
 AND INSURANCE AGENCY, INC., and)
 AMERICAN SURETY COMPANY, INC.,)
 Counterplaintiffs,)

v.)
 UNITED STATES DEPARTMENT)
 OF HOMELAND SECURITY, JANET)
 NAPOLITANO, in her capacity as SECRETARY)
 OF THE UNITED STATES DEPARTMENT)
 OF HOMELAND SECURITY,)
 Counterdefendants.)

1 **SECOND STIPULATION ENLARGING TIME FOR UNITED**
2 **STATES TO FILE ANSWER TO COUNTERCLAIM**

3 Pursuant to Civil L. R. 6-1(a), 6-2 and 7-12, the parties, through their respective counsel,
4 stipulate and agree as follows:

5 1. On August 28, 2009, the United States filed its Complaint (Dkt. # 1) in the instant
6 matter.

7 2. On October 22, 2009, Gonzales & Gonzales Bonds and Insurance Agency, Inc.
8 (G&G) and American Surety Company, Inc. (ASC) filed its Answer to the Complaint and
9 Counterclaim (Dkt. # 9).

10 3. On July 27, 2010, the Court entered its Memorandum and Order (Dkt. # 48), which,
11 *inter alia*, triggered the time for the United States to file an answer to the Defendants'
12 Counterclaim by August 10, 2010. FED. R. CIV. P. 12(a)(4)(A).

13 4. On August 11, 2010, the Court approved the parties' August 6, 2010 Stipulation
14 Enlarging Time for United States to File Answer to Counterclaim, (Dkt. # 50) enlarging the
15 United States' time to answer to and including September 9, 2010.

16 5. The United States will file shortly a motion to remand to the Department of Homeland
17 Security (DHS) for reconsideration nine of the 17 bond breach determinations that are the
18 subject of Defendants/Counter-Plaintiffs Counterclaim. The parties have consulted on this
19 motion and Defendants/Counter-Plaintiffs intend to oppose the motion.

20 5. The requested stipulation will have no effect on the schedule for the case. The parties
21 are moving forward on negotiating a Protective Order and the United States is preparing the A-
22 files for production pursuant to the Court's July 27, 2010 Order.

23 Therefore, the parties stipulate that, the United States' time within which to answer the
24 Defendants' Counterclaim be enlarged to 15 days after the Court rules on the United States'
25 Motion to Remand.

1 IT IS SO STIPULATED.

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3 Dated: September 8, 2010

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15 COMPANY, INC.

16 Attorneys for the United States of America

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20 Date: 9/9/2010

