

1 Gary A. Nye, Esq. (Cal. Bar No. 126104)
2 David R. Ginsburg, Esq. (Cal. Bar No. 210900)
3 ROXBOROUGH, POMERANCE, NYE & ADREANI, LLP
4 5820 Canoga Avenue, Suite 250
5 Woodland Hills, California 91367
6 Telephone: (818) 992-9999
7 Facsimile: (818) 992-9991
8 Email: gan@rpnalaw.com, drg@rpnalaw.com

9 Attorneys for Plaintiff
10 GONZALES & GONZALES BONDS AND
11 INSURANCE AGENCY, INC.

12 MELINDA HAAG (CSBN 132612)
13 United States Attorney

14 JOANN M. SWANSON (CSBN 88143)
15 Chief, Civil Division

16 ILA C. DEISS (NYSBN 3052909)
17 Assistant United States Attorney

18 ANN MARIE REDING (CSBN 226864)
19 Assistant United States Attorney

20 450 Golden Gate Avenue, Box 36055
21 San Francisco, California 94102-3495
22 Telephone: (415) 436-6813
23 FAX: (415) 436-6748
24 annie.reding@usdoj.gov

25 Attorneys for Defendant
26 UNITED STATES DEPARTMENT
27 OF HOMELAND SECURITY

28 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA - OAKLAND DIVISION

GONZALES & GONZALES BONDS AND)
INSURANCE AGENCY, INC.,)

Plaintiff,)

vs.)

UNITED STATES DEPARTMENT OF)
HOMELAND SECURITY,)

Defendant.)

Case No. C 11-02267 DMR (LB)

**JOINT STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING THE HEARING ON
DEFENDANT'S MOTION TO DISMISS
AND CASE MANAGEMENT
CONFERENCE**

STIPULATION

1
2 Plaintiff Gonzales & Gonzales Bonds and Insurance Agency, Inc. (“Plaintiff” or “G&G”)
3 and Defendant United States Department of Homeland Security (“Defendant”), by and through
4 their counsel of record, hereby stipulate and agree as follows:

5 1. Defendant’s motion to dismiss is currently scheduled for hearing on January 26,
6 2012. On December 2, 2011, Defendant advised Plaintiff that it intended to amend its motion to
7 dismiss by December 22, 2011. Defendant also advised that it would be amenable to continuing
8 the hearing and filing deadlines so that the briefing schedule would not fall on or during the
9 holidays.

10 2. Subject to the Court’s approval, and in order to avoid a briefing schedule falling
11 during the holidays, the parties hereby agree and stipulate to the following briefing schedule for
12 the motion to dismiss:

- 13 Filing of amended motion: January 5, 2012
14 Opposition due: January 19, 2012
15 Reply due: January 26, 2012
16 Hearing: February 9, 2012 at 11:00 a.m.

17 The parties further agree that, subject to the Court’s approval, the Case Management
18 Conference will be continued from January 26, 2012 to February 9, 2012, following the hearing
19 on the motion to dismiss. The parties will file an updated Joint Case Management Conference
20 Statement on or before February 2, 2012.

21 3. The hearing date has been continued once before when the parties participated in a
22 Mandatory Settlement Conference with Magistrate Judge Laurel Beeler, and the parties sought a
23 continuance in order to continue their efforts to seek a resolution in this case.

24 4. The parties believe that the requested continuance will have little, if any, impact on
25 the schedule for the case.

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IT IS SO STIPULATED.

Respectfully submitted,
MELINDA HAAG
United States Attorney

Dated: December 15, 2011

/s/ Ann Marie Reding
ANN MARIE REDING
Assistant United States Attorney
Attorneys for the United States of America

Respectfully submitted,
ROXBOROUGH, POMERANCE, NYE & ADREANI, LLP

Dated: December 15, 2011

/s/ David R. Ginsburg
GARY A. NYE
DAVID R. GINSBURG
Attorneys for Plaintiff
Gonzales & Gonzales Bonds
and Insurance Agency, Inc.

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~~PROPOSED~~ ORDER

Pursuant to the stipulation by the parties, and good cause having been shown, it is hereby ordered that the following schedule will apply to Defendant's amended motion to dismiss

Plaintiff's Complaint:

- Filing of amended motion: January 5, 2012
- Opposition due: January 19, 2012
- Reply due: January 26, 2012
- Hearing: February 9, 2012 at 11:00 a.m.

A case Management Conference will take place following the hearing on the motion to dismiss. The parties will file an updated Joint Case Management Conference Statement on or before February 2, 2012.

IT IS SO ORDERED.

Dated: December 15, 2011



THE HONORABLE DONNA M. RYU
UNITED STATES MAGISTRATE JUDGE