

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

GRANITE REINSURANCE COMPANY, )  
LTD, A Barbados Corporation, )  
 )  
Plaintiff, )

8:08CV410

v. )

STATE OF NEBRASKA, ex. Rel. )  
ANN M. FROHMAN, DIRECTOR OF )  
INSURANCE OF THE STATE OF )  
NEBRASKA, in her capacity as )  
Liquidator of AMERICAN )  
GROWERS INSURANCE COMPANY, in )  
liquidation and FEDERAL )  
CROP INSURANCE CORPORATION, a )  
corporation within the United )  
States Department of )  
Agriculture; RISK MANAGEMENT )  
AGENCY, an agency of and )  
within the United States )  
Department of Agriculture, )  
 )  
Defendants. )

MEMORANDUM AND ORDER

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Upon the court's own motion and in response to the status report filed by the government, there appears no reason why this court should not proceed with deciding the motions to remand, as the issue of whether the plaintiff is in contempt in the state court action has no bearing on the issues concerning remand; either the plaintiff will be found in contempt, or not. Unless the state court judge orders the plaintiff to dismiss this case, this court must decide the motions to remand.

IT THEREFORE HEREBY IS ORDERED:

1. Defendants are given until May 8, 2009 to file their responses to the pending motions to remand, filing no. 9 filing no. 13.

2. Reply briefs may be filed on or before May 16, 2009, at which time the matters will be deemed submitted.

3. Counsel for the parties shall notify this court immediately of any ruling on the contempt issue made by the state district court.

DATED this 20<sup>th</sup> day of April, 2009.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge