DISTRICT COURT OF GUAM

UNITED STATES OF AMERICA, Plaintiff, vs. TERRITORY OF GUAM, *et al.*, Defendants.	Civil Case No. 91-00020 **ORDER**

This matter came before the court for a status hearing on December 2, 2010. The court hereby orders as follows:

1. The parties, with the Independent Monitor, shall conduct a conference to discuss how they wish to proceed with regard to Section VII of the Stipulated Judgment. The court notes that should they ultimately decide to seek modification of this judgment, they may file a joint motion under Federal Civil Procedure Rule 60(b)(5).[1] *See Horne v. Flores*, 129 S. Ct. 2579, 2593 (2009) ("[T]he Rule provides a means by which a party can ask a court to modify or vacate a judgment or order if 'a significant change either in factual conditions or in law' renders continued enforcement 'detrimental to the public interest.'") (quoting *Rufo v . Inmates of Suffolk County Jail*, 502 U.S. 367, 384, 112 S.Ct. 748, 116 L.Ed.2d 867 (1992)).

[1] As noted during the hearing, the court is inclined to interpret the Settlement Agreement broadly.

Furthermore, by March 31, 2011, the parties shall file a joint statement as to the outcome of their discussion regarding Section VII.

2. Exhibit E of Docket No. 206 shall be sealed.

4. The Independent Monitor shall conduct site visits and file his quarterly status report by March 31, 2011. Responses, if any, may be filed by April 6, 2011.

The next status hearing is scheduled for April 14, 2011, at 9:00 a.m.

SO ORDERED.

/s/ Frances M. Tydingco-Gatewood
Chief Judge
Dated: Dec 02, 2010