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13 Attorneys for Federal Defendants

14 UNITED STATES DISTRICT COURT

15 FOR THE CENTRAL DISTRICT OF CALIFORNIA

16	CLIFTON B. CRAFT, et al.,)	NO. CV 92-1769-SVW(Sx)
)	
17	Plaintiffs,)	<u>STATEMENT OF GENUINE ISSUES</u>
)	
18	v.)	<u>AS TO PLAINTIFFS' MOTION FOR</u>
)	
19	THE NATIONAL PARK SERVICE,)	<u>SUMMARY JUDGMENT</u>
	NATIONAL OCEANIC &)	
20	ATMOSPHERIC ADMINISTRATION)	
	NATIONAL MARINE FISHERIES)	
21	SERVICE, AND THE UNITED)	
	STATES OF AMERICA,)	
22)	
	Defendants.)	
23)	

REC'D OCT 1 1992

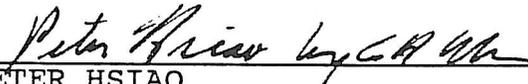
24 Pursuant to Local Rule 7.14.2 of this Court, the federal
25 defendants make the following Statement of Genuine Issues as to
26 Plaintiffs' Motion for Summary Judgment.

27 The Federal Defendants do not accept the factual statements
28 made by the plaintiffs in their moving papers. However, in this

1 action, plaintiffs are challenging civil penalty assessments
2 issued by the Secretary of Commerce through her agency the
3 National Oceanic and Atmospheric Administration. The civil
4 penalty assessments were issued pursuant to administrative
5 proceedings, the record of which is presently before this Court.
6 The plaintiffs' challenges are based on disputed issues of law
7 and not fact. Federal Defendants note that by stipulation of
8 the parties during the status conference held in this matter on
9 August 6, 1992, it was conceded by the parties and accepted by
10 the Court that there are no genuine issues of material fact to
11 be decided by the Court.

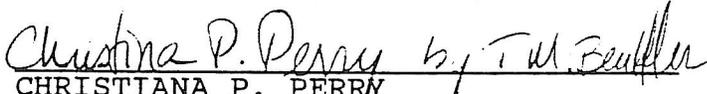
12 DATE: September 25, 1992.

13 TERREE A. BOWERS
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18	v.)	<u>AS TO PLAINTIFFS' MOTION FOR</u>
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CERTIFICATE OF SERVICE BY MAIL

1 I, Lillian D. Bracamontes, declares:

2 That I am a citizen of the United States and resident or
3 employed in Los Angeles County, California; that my business
4 address is Office of United States Attorney, 7516 Federal
5 Building, 300 North Los Angeles Street, Los Angeles, California
6 90012, that I am over the age of eighteen years, and am not a
7 party to the above-entitled action;

8 That I am employed by the United States Attorney for the
9 Central District of California who is a member of the Bar of the
10 United States District Court for the Central District of
11 California, at whose direction the service by mail describe in
12 this Certificate was made; that on September 25, 1992, I
13 deposited in the United States Mails in the Federal Building at
14 300 North Los Angeles Street, Los Angeles, California, in the
15 above-entitled action, in an envelope bearing the requisite
16 postage, a copy of STATEMENT OF GENUINE ISSUES AS TO PLAINTIFFS'
17 MOTION FOR SUMMARY JUDGMENT

18 addressed to Peter E. Hess, Esq.
300 Delaware Avenue
19 Suite 1130
Wilmington, DE 19801

20 at his last known address, at which place there is delivery
21 service by United States mail.

22 This Certificate is executed September 25, 1992 at Los
23 Angeles, California.

24 I certify under penalty of perjury that the foregoing is
25 true and correct.

26 
LILLIAN D. BRACAMONTES