

**FOR PUBLICATION**  
**UNITED STATES COURT OF APPEALS**  
**FOR THE NINTH CIRCUIT**

GERLING GLOBAL REINSURANCE  
CORP. OF AMERICA; GERLING  
GLOBAL REINSURANCE CORP. – U.S.  
BRANCH; GERLING GLOBAL LIFE  
REINSURANCE COMPANY; GERLING  
GLOBAL LIFE INSURANCE COMPANY;  
GERLING AMERICA INSURANCE  
COMPANY; and CONSTITUTION  
INSURANCE CORP.,

*Plaintiffs-Appellees-Cross-  
Appellants-Plaintiffs-Appellants,*

v.

HARRY W. LOW, in his capacity as  
the COMMISSIONER OF  
INSURANCE OF THE STATE OF  
CALIFORNIA,

*Defendant-Appellant-Cross-  
Appellee-Defendant-Appellee.*

Nos. 01-17023  
01-17433  
02-15282

D.C. No.  
CV-00-00506-WBS

ASSICURAZIONI GENERALI,  
*Plaintiff-Appellee-Cross-Appellant-  
Plaintiff-Appellant,*

v.

HARRY W. LOW, individually, and  
in his capacity as the INSURANCE  
COMMISSIONER for the STATE OF  
CALIFORNIA,

*Defendant-Appellant-Cross-  
Appellee-Defendant-Appellee.*

D.C. No.  
CV-00-00875-WBS

WINTERTHUR INTERNATIONAL  
AMERICA INSURANCE COMPANY,  
WINTERTHUR INTERNATIONAL  
AMERICA UNDERWRITERS INSURANCE  
COMPANY; GENERAL CASUALTY  
COMPANY OF WISCONSIN, REGENT  
INSURANCE COMPANY; REPUBLIC  
INSURANCE COMPANY; SOUTHERN  
INSURANCE COMPANY, UNIGARD  
INDEMNITY COMPANY; UNIGARD  
INSURANCE COMPANY; and BLUE  
RIDGE INSURANCE COMPANY,

*Plaintiffs-Appellees-Cross-  
Appellants-Plaintiffs-Appellants,*

v.

HARRY W. LOW, in his capacity as  
INSURANCE COMMISSIONER for the  
STATE OF CALIFORNIA,

*Defendant-Appellant-Cross-  
Appellee-Defendant-Appellee.*

D.C. No.  
CV-00-00779-WBS

AMERICAN INSURANCE ASSOCIATION  
and AMERICAN RE-INSURANCE  
COMPANY,

*Plaintiffs-Appellees-Cross-  
Appellants-Plaintiffs-Appellants,*

v.

HARRY W. LOW, in his capacity as  
INSURANCE COMMISSIONER for the  
STATE OF CALIFORNIA,

*Defendant-Appellant-Cross-  
Appellee-Defendant-Appellee.*

D.C. No.  
CV-00-00613-WBS

ORDER

On Remand from the United States Supreme Court

Filed August 12, 2003

Before: Alfred T. Goodwin, Susan P. Graber, and  
Richard A. Paez, Circuit Judges.

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**ORDER**

The Supreme Court of the United States has reversed our decision in *Gerling Global Reinsurance Corp. of America v. Low*, 296 F.3d 832 (9th Cir. 2002), and remanded the case for further consideration in light of *American Insurance Ass'n v. Garamendi*, 123 S. Ct. 2374 (2003). See *Gerling Global Reinsurance Corp. of America v. Garamendi*, 123 S. Ct. 2638 (2003). We, in turn, remand this matter to the district court for such further proceedings as may be appropriate in light of the Supreme Court's opinion. The mandate shall issue forthwith.

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