

1	(3) The Department of State is ordered to issue to E.J. a United States
2	passport as soon as is practicable but not later than 45 days from the date of entry
3	of this Judgment.
4	(4) If E.J. and Andrew and Elad Dvash-Banks elect to apply in person
5	for a Consular Report of Birth Abroad ("CRBA") for E.J. at the Toronto Consulate
6	General or any other Consular Office of the State Department outside of the United
7	States, the Department of State is ordered to issue to E.J. a CRBA as soon as
8	practicable but not later than 45 days from the date of the consular interview in
9	connection with that application.
10	(5) The Dvash-Banks family will not be charged any additional fees
11	by the Department of State for obtaining the aforementioned passport or CRBA,
12	having already paid these fees to the Department of State for E.J.'s initial
13	applications, which were improperly denied.
14	(6) Judgment is hereby entered in favor of Defendants with respect to
15	Plaintiffs' Administrative Procedure Act claim.
16	(7) Plaintiffs' claim under the Due Process Clause of the Fifth
17	Amended is moot and is hereby dismissed with prejudice.
18	(8) If any elements of any of the claims asserted in this action by any
19	party were not the subject of either summary judgment motion, the Court's Order,
20	or this Judgment, they are similarly moot and are dismissed.
21	(9) The Court retains jurisdiction to adjudicate any applications for
22	attorneys' fees and costs as allowed by law. Plaintiffs may move this Court
23	separately for attorneys' fees and costs.
24	It is So Ordered.
25	Data: March 6 2010
26	Date: March 6, 2019 The Honorable John F. Walter United States District Judge
27	United States District Judge
28	

1	Respectfully submitted,
2	
3	By: /s/ Alexa Lawson-Remer Alexa Lawson-Remer (SBN 268855) lawsonr@sullcrom.com
5	1888 Century Park East, Suite 2100
6	Los Angeles, California 90067-1725 Telephone: (310) 712-6600 Facsimile: (310) 712-8800
7	
8	Theodore Edelman (pro hac vice) edelmant@sullcrom.com Jessica Klein (pro hac vice)
9	kleinj@sullcrom.com SULLIVAN & CROMWELL LLP
10	125 Broad Street New York, New York 10004-2498
11	Telephone: (212) 558-4000 Facsimile: (212) 558-3588
12	Aaron C. Morris (pro hac vice)
13	amorris@immigrationequality.org IMMIGRATION EQUALITY
14	40 Exchange Place, Suite 1300 New York, New York, 10005-2744 Telephone: (212) 714-2904
15	* ` '
16	ATTORNEYS FOR PLAINTIFFS
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
	-2-