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6 Attorneys for Defendants

7 UNITED STATES DISTRICT COURT  
 8 EASTERN DISTRICT OF CALIFORNIA

9 SEANLIM YITH and SEAK LEANG YITH, )  
 10 ) Case No.: 1:14-cv-01875 LJO SKO  
 Plaintiffs, )  
 11 ) **Stipulation and Order re: Abeyance**  
 v. )  
 12 )  
 13 JEH JOHNSON, Secretary, U.S. Department of )  
 Homeland Security; LEON RODRIGUEZ, )  
 14 Director, U.S. Citizenship and Immigration )  
 Services, et al., )  
 15 )  
 16 Defendants. )  
 17 )

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18 On February 24, 2015, U.S. Citizenship and Immigration Services issued interview  
 19 notices pertaining to Plaintiffs’ currently-pending naturalization applications. The interviews are  
 20 set for March 10, 2015. Plaintiffs have sought (among other relief) an order requiring  
 21 adjudication of their naturalization applications, and Defendants believe that the issuance of  
 22 interview notices has the potential to affect this Court’s jurisdiction over Plaintiffs’ first two  
 23 causes of action, in that interviews would trigger the statutory 120-day deadline for issuance of  
 24 decisions on Plaintiff’s naturalization applications. *See* 8 U.S.C. § 1447(b). Accordingly, the  
 25 parties therefore stipulate to hold this matter in abeyance, vacate the March 17, 2015 hearing  
 26 date, vacate the April 16, 2015 status conference, and instead file status reports or a joint status  
 27 report if possible by May 1, 2015. The parties agree that this stipulation itself has no effect on  
 28 Plaintiffs’ right to seek, or Defendants’ right to oppose, attorney’s fees under the Equal Access to

1 Justice Act, 28 U.S.C. § 2412(d), or under any other legal theory, authority or precedent  
2 preserved in Plaintiffs' complaint.

3  
4 Dated: March 2, 2015

Respectfully submitted,

5 BENJAMIN B. WAGNER  
6 United States Attorney

7 s/ Audrey B. Hemesath  
8 AUDREY B. HEMESATH  
Assistant United States Attorney

9 Attorney for Defendants

10  
11 Bruce Leichty, A Professional Corporation

12 By: /s/ Bruce Leichty  
13 Bruce Leichty

14 Attorney for Plaintiffs

15  
16 **ORDER**

17  
18 The above stipulation is approved.

19 **SO ORDERED**

20 **Dated: March 3, 2015**

21 /s/ Lawrence J. O'Neill  
22 **United States District Judge**