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CLERK U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DEPUTY CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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JAROSLAW KAPUSCINSKI,  
Plaintiff,  
v.

NO. CIV. S-06-2105 FCD KJM

TEMPORARY RESTRAINING ORDER  
AND ORDER TO SHOW CAUSE RE:  
PRELIMINARY INJUNCTION

MICHAEL CHERTOFF, Secretary of  
Department of Homeland  
Security; EMILIO T. GONZALEZ,  
Director, Citizenship and  
Immigration Services; DAVID  
STILL, District Director, San  
Francisco District,  
Citizenship and Immigration  
Services; SUSAN M. CURDA,  
Officer-in-Charge, Sacramento  
Sub-Office, Citizenship and  
Immigration Services;  
CHRISTINA POULOS, Acting  
Director, California Service  
Center, Citizenship and  
Immigration Services; ALBERTO  
GONZALES, Attorney General of  
the United States; ROBERT S.  
MUELLER, III, Director,  
Federal Bureau of  
Investigation; CONDOLEEZZA  
RICE, Secretary of State,

Defendants.

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TO DEFENDANTS MICHAEL CHERTOFF, EMILIO T. GONZALEZ, DAVID STILL, SUSAN M. CURDA, CHRISTINA POULOS, ALBERTO GONZALES, ROBERT S. MUELLER, III, CONDOLEEZZA RICE:

YOU AND EACH OF YOU ARE HEREBY ORDERED TO SHOW CAUSE at 10:00 A.M. on Friday, October 6, 2006, or as soon thereafter as counsel may be heard in the courtroom of the Honorable Frank C. Damrell, Jr., located at 501 I Street, Courtroom 2, Sacramento, CA, 95814, why you, your agents, servants, employees and attorneys and those in active concert or participation with you or them, should not be mandated and ordered pending trial of this action to take all steps necessary and issue all appropriate documents to complete adjudication of plaintiff Jaroslaw Kapuscinski's application to become a lawful permanent resident of the United States by September 30, 2006, including the following steps:

- (1) complete the FBI name check and any other security or background clearance required;
- (2) adjudicate Plaintiff's application for waiver of the two-year foreign residency requirement;
- (3) reserve a visa for Plaintiff; and
- (4) adjudicate Plaintiff's application for adjustment of status.

PENDING HEARING on the above Order to Show Cause, you, your agents, servants, employees and attorneys and all those active in concert or participation with you ARE HEREBY MANDATED AND ORDERED to take all steps necessary and issue all appropriate documents to complete adjudication of Plaintiff Jaroslaw Kapuscinski's

1 application to become a lawful permanent resident of the United  
2 States by September 30, 2006, including the following steps:

- 3 (1) complete the FBI name check and any other security or  
4 background clearance required;  
5 (2) adjudicate Plaintiff's application for waiver of the  
6 two-year foreign residency requirement;  
7 (3) reserve a visa for Plaintiff; and  
8 (4) adjudicate Plaintiff's application for adjustment of  
9 status.


10 The above Temporary Restraining Order is effective on <sup>9/27</sup>  
11 Plaintiff's filing of an undertaking in the sum of \$ ~~100,000~~.

12 This Order to Show Cause and supporting papers must be  
13 served on Defendants' counsel no later than four (4) court days  
14 before the hearing. Any response or opposition to this Order to  
15 Show Cause must be filed and personally served on Plaintiff's  
16 counsel no later than two (2) court days before the date set for  
17 hearing.

18 This Temporary Restraining Order and Order to Show Cause was  
19 issued on Wednesday, September 27, 2006 at 4:15 P.M.

20 IT IS SO ORDERED.

21 DATED: September 27, 2005

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24 FRANK C. DAMRELL, Jr.  
25 UNITED STATES DISTRICT JUDGE  
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