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5 Attorney for Plaintiff.

6 UNITED STATES DISTRICT COURT FOR THE
 7 EASTERN DISTRICT OF CALIFORNIA
 8

9 FARYAD ALI,

10 Plaintiff,

11 v.

12 DAVID ROARK, ET AL.,

13 Defendants.

No. C 09-01762-JAM-EFB

JOINT STIPULATION TO DISMISS;
ORDER

14
 15 Plaintiff, by and through his attorney of record, and Defendants by and through their
 16 attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the
 17 action pursuant to Federal Rule of Civil Procedure 41. In light of the fact that Plaintiff's FBI
 18 checks have been completed, and any delay of the adjudication is attributable to a pending
 19 discretionary determination, at this time, Plaintiff has elected to await adjudication of his
 application for adjustment of status.

20 Each of the parties shall bear their own costs and fees.

21 Dated: November 3, 2009 Respectfully submitted,

22 /s/ Robert B. Jobe

23
 24 Robert B. Jobe
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25 Attorney for Plaintiff

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 28 Joint Stipulation to Dismiss; [Proposed] Order
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Dated: November 3, 2009

LAWRENCE G. BROWN
Acting United States Attorney

AUDREY B. HEMESATH
Assistant U.S. Attorney

Respectfully submitted,

TONY WEST
Assistant Attorney General

ELIZABETH J. STEVENS
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/s/ Christopher W. Dempsey

CHRISTOPHER W. DEMPSEY
Trial Attorney, District Court Section
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U.S. Department of Justice, Civil Div.
P.O. Box 868, Ben Franklin Station
Washington, D.C. 20044

Attorneys for Defendants

ORDER

Pursuant to this stipulation, IT IS SO ORDERED.

Dated: November 3, 2009

/s/ John A. Mendez

UNITED STATES DISTRICT JUDGE

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