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8
 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

12 KAIRALI DECAN, INC,) No. 08-3065 MMC
 13)
 Plaintiff,)
 14)
 v.) **STIPULATION AND ~~PROPOSED~~**
 15) **ORDER TO TRANSFER ACTION TO**
 UNITED STATES CUSTOMS AND) **FEDERAL COURT OF CLAIMS AND**
 16 BORDER PROTECTION,) **TO VACATE ALL PENDING DATES**
) **IN THIS ACTION IN THIS COURT**
 17 Defendant.)
)

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 19 **IT IS HEREBY STIPULATED** by and between the undersigned, subject to the approval of
 20 the Court, that the above-entitled action should be transferred to the United States Federal Court
 21 of Claims and that all pending dates in the above-entitled action should be vacated pending the
 22 transfer of this action to the United States Federal Court of Claims.

23 The parties make this stipulation in light of the fact that Plaintiff seeks to recover more than
 24 \$10,000 from Defendant and under 28 U.S.C. Section 1346 (commonly called the “Little Tucker
 25 Act) a district court has concurrent jurisdiction with the Federal Court of Claims for certain
 26 monetary claims against the United States not exceeding \$10,000. The Court of Federal Claims
 27 possesses exclusive jurisdiction over certain monetary claims against the United States in excess
 28 of \$10,000. Section 1631 of Title 28 authorizes this Court to transfer the above-entitled action to

