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7 Attorneys for Defendants

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

11 XIAO DONG SUN,)
 12) No. C 09-3402 SC
 Plaintiff,)

13 v.)
 14) **STIPULATION TO DISMISS; AND**
) **~~PROPOSED~~ ORDER**

15 ERIC H. HOLDER, Attorney General of the)
 United States; JANET NAPOLITANO, Secretary)
 of the Department of Homeland Security;)
 16 MICHAEL AYLES, Acting Deputy Director,)
 U.S. Citizenship and Immigration Services;)
 17 ROBIN BARRETT, San Francisco Field Office)
 Director, U.S. Citizenship and Immigration)
 18 Services; ROBERT S. MUELLER, III, Director)
 of Federal Bureau of Investigation,)
 19 Defendants.)
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1 Plaintiff, by and through his attorneys of record, and Defendants, by and through their
2 attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the
3 above-entitled action without prejudice in light of the fact that the United States Citizenship and
4 Immigration Services is now prepared to adjudicate Plaintiff's application for naturalization and
5 agrees to do so within 30 days of the dismissal of this action. See 8 U.S.C. § 1447(b).

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

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8 Dated: September 4, 2009

Respectfully submitted,

9 JOSEPH P. RUSSONIELLO
10 United States Attorney

11 _____
12 /s/
13 ILA C. DEISS¹
14 Assistant United States Attorney
15 Attorneys for Defendants

16 Date: September 4, 2009

17 _____
18 /s/
19 ELIZA XUAN WANG
20 Attorney for Plaintiff

21 **ORDER**

22 Pursuant to stipulation, IT IS SO ORDERED.

23 Date: 9/10/09



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27 ¹ I, Ila Deiss, hereby attest that I have on file all holograph signatures for any signatures
28 indicated by a "conformed" signature (/S/) within this e-filed document.