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

11 GURMAIL SINGH,

12 Plaintiff,

13 v.

14 ALEJANDRO MAYORKAS,
 Director, United States Citizenship and
 16 Immigration Services,

17 Defendant.

) No. C 09-3931 JL

) **STIPULATION TO VACATE HEARING**
) **DATE AND TO EXTEND ANSWER**
) **DEADLINE; AND ~~PROPOSED~~ ORDER**

18
 19 Plaintiff, by and through his attorney of record, and Defendant, by and through his attorney of
 20 record, hereby stipulate, subject to approval of the Court, to vacate the hearing date on Plaintiff's
 21 Motion for Summary Judgment and to extend the deadline for the filing of Defendant's Answer in
 22 the above-entitled action in light of the following:

- 23 1. Plaintiff filed this action on August 26, 2009, seeking an order directing the United States
 24 Citizenship and Immigration Services (USCIS) to issue a travel document to the plaintiff's son or
 25 to forward written notice to plaintiff stating the basis for the denial of a travel document.
 26 2. The Defendant is currently required to file an Answer no later than October 26, 2009.
 27 3. Plaintiff filed a motion for summary judgment on October 13, 2009, and set a hearing date
 28 of November 25, 2009.

1 4. In light of the fact that there is a reasonable possibility that this case may become moot in
2 the next sixty days, the parties agree to: (a) vacate the hearing date on Plaintiff's Motion for
3 Summary Judgment (currently scheduled for November 25, 2009); and (b) extend the deadline for
4 Defendant's Answer to December 28, 2009.

5 5. If the case does not become moot in the next sixty days, Defendant will file his Answer no
6 later than December 28, 2009, and Plaintiff will re-notice a hearing date on his Motion for
7 Summary Judgment.

8
9 Dated: October 20, 2009

Respectfully submitted,

10 JOSEPH P. RUSSONIELLO
11 United States Attorney

12 /s/
13 EDWARD A. OLSEN
14 Assistant United States Attorney
Attorneys for Defendant

15 Dated: October 20, 2009

16 /s/
17 JONATHAN M. KAUFMAN
18 Attorney for Plaintiff

19 ~~PROPOSED~~ ORDER

20 Pursuant to the parties' stipulation, IT IS ORDERED that:

- 21 1. The hearing date on Plaintiff's Motion for Summary Judgment is vacated.
22 2. The deadline for the filing of Defendant's Answer is extended to December 28, 2009.

23 Date:
24 11/12/09


25 JAMES LARSON
26 United States Magistrate Judge