

1 JOSEPH P. RUSSONIELLO, CSBN 44332
 United States Attorney
 2 JOANN M. SWANSON, CSBN 88143
 Assistant United States Attorney
 3 Chief, Civil Division
 ILA C. DEISS, NY SBN 3052909
 4 Assistant United States Attorney

5 450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102
 6 Telephone: (415) 436-7124
 FAX: (415) 436-7169

7 Attorneys for Defendants

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

12 RUIHUA YAN,

13 Plaintiff,

14 v.

15 Attorney General of the United States,
 MICHAEL MUKASEY; U.S. Department of
 16 Homeland Security, MICHAEL CHERTOFF,
 Secretary; U.S. Citizenship and Immigration
 17 Services, ROBIN BARRETT; Director of San
 Francisco Field Office; and U.S. Citizenship and
 18 Immigration Services, JONATHAN "JOCK"
 SCHARFEN, Director,

19 Defendants.
20

) No. C 09-4054 MEJ

) **SECOND STIPULATION TO EXTEND**
) **TIME WITHIN WHICH THE**
) **DEFENDANTS MUST FILE AN**
) **ANSWER; AND ~~PROPOSED~~ ORDER**

21 Plaintiff, by and through her attorney of record, and Defendants, by and through their attorneys
 22 of record, hereby stipulate, subject to the approval of the Court, to extend the date of Defendants'
 23 answer, based on the following:

24 (1) Plaintiff filed a mandamus action on September 1, 2009, seeking an order from this Court
 25 directing the United States Citizenship and Immigration Services ("USCIS") to adjudicate
 26 Plaintiff's petition to remove condition on residence, and her application to adjust to permanent
 27 resident status.

28 (2) On September 23, 2009, the USCIS adjudicated Plaintiff's applications.

1 (3) Plaintiff intends to dismiss her complaint upon receipt of her alien registration card which
2 the parties believe will occur within a matter of weeks.

3 (4) Therefore, the parties hereby stipulate, subject to the approval of the Court, to an additional
4 30-day extension of time within which the Defendants must serve its answer in the above-entitled
5 action. The Defendants will file their answer on or before January 8, 2010.

6 Dated: December 10, 2009

Respectfully submitted,

7 JOSEPH P. RUSSONIELLO
8 United States Attorney

9 _____/s/
10 ILA C. DEISS¹
11 Assistant United States Attorney
12 Attorneys for Defendants

12 Dated: December 10, 2009

13 _____/s/
14 MING JI
15 Attorney for Plaintiff

16 **ORDER**

17 Pursuant to stipulation, IT IS SO ORDERED.

18
19 Date: December 14, 2009

20 
21 _____
22 MARIA-LOUISE JAMES
23 United States Chief Magistrate Judge

24
25
26
27 _____
28 ¹ I, Ila Deiss, hereby attest that I have on file all holograph signatures for any signatures indicated by a “conformed” signature (/S/) within this efiled document.