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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

_____)	
Abdul Rahman Chehab,)	
)	
Plaintiff,)	Case No. C 10-5325-RS
)	
v.)	
)	STIPULATION TO DISMISS
F. Gerard Heinauer, et al.,)	
)	
Defendants.)	
_____)	

Plaintiff, by and through his attorney of record, and Defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of this action. In his Complaint, Plaintiff sought an order from this Court compelling Defendants to adjudicate his I-485 Application for Adjustment of Status. *See* Complaint, Prayer for Relief ¶ 5. On January 31, 2011, however, U.S. Citizenship and Immigration Services granted Plaintiff’s application and issued a notice reflecting such approval. Accordingly, Plaintiff’s Complaint is now moot. *See Peng v. Gonzales*, No. C 06-07872-JCS, 2007 WL 2141270 *5 (N.D. Cal. July 25, 2007) (“In the immigration context, a claim for mandamus relief compelling adjudication of

an adjustment of status application is moot if the application has been adjudicated.”). Thus, the parties jointly request, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), that this Court approve the dismissal of this matter in its entirety. Each party shall bear its own costs and fees, and no attorney’s fees or costs under the Equal Access to Justice Act, or any other provision of law, will be sought in the above-captioned matter.

Respectfully submitted,

Dated: February 10, 2011

/s/ Nicole R. Prairie
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Dated: February 10, 2011

/s/ Robert B. Jobe
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ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Date: 2/10/11



Hon. Richard Seeborg
United States District Judge

¹ I, Nicole R. Prairie, hereby attest that I have on file all holograph signatures for any signatures indicated by a “conformed” signature (/s/) within this e-filed document.