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25 Attorneys for Defendants

26 IN THE UNITED STATES DISTRICT COURT
 27 THE NORTHERN DISTRICT OF CALIFORNIA
 28 SAN FRANCISCO DIVISION

19	JEFFREY MARTINS,	)	Case No. C 13-00591 LB
)	
20	Plaintiff,	)	JOINT CASE MANAGEMENT
		)	CONFERENCE STATEMENT AND
21	v.	)	JOINT REQUEST FOR CONTINUANCE
		)	OF CONFERENCE;
22	UNITED STATES CITIZENSHIP AND	)	<u>PROPOSED</u> ORDER
	IMMIGRATION SERVICES, an agency of the)	
23	United States Department of Homeland Security;	)	Date: October 31, 2013
	UNITED STATES DEPARTMENT OF	)	Time: 11:00 a.m.
24	HOMELAND SECURITY; ALEJANDRO	)	Courtroom C – 15 th Floor
	MAYORKAS, in his official capacity as Director	)	Hon. Laurel Beeler
25	of United States Citizenship and Immigration	)	United States Magistrate Judge
	Services; JANET NAPOLITANO, in her official)	
26	capacity as Secretary of the Department of)	
	Homeland Security,)	
27)	
	Defendants.)	
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1 The parties hereby submit the following Joint Case Management Conference Statement
2 and request for continuance.

3 **STATUS AND REQUEST FOR CONTINUANCE**

4 In this lawsuit, Plaintiff has sought (1) the prompt release of the asylum interview records
5 sought by his FOIA requests, (2) a declaratory judgment that Defendants' policy and practice of
6 withholding Asylum Officer notes in response to FOIA requests by asylum applicants or their
7 legal counsel violates the Administrative Procedure Act and FOIA, (3) an injunction enjoining
8 Defendants from continuing to withhold such records in the future on the basis of the "deliberative
9 process" privilege, and (4) attorneys fees.

10 By order dated July 3, 2013, this Court granted Plaintiff's motion for a preliminary
11 injunction. [Docket No. 28] On July 18, 2013, the parties participated in a settlement conference
12 and agreed on the parameters of a possible settlement. [See Docket Nos. 29-31.] As of October
13 23, 2013, Defendants are taking issue with Plaintiff's requested attorneys' fees and the parties are
14 in the process of seeking the assistance of the settlement magistrate judge (Chief Magistrate Judge
15 Laporte) to resolve this remaining issue.

16 The parties believe it would be best to hold a case management conference after at least an
17 initial discussion with the Chief Magistrate Judge has been held. Accordingly, the parties
18 respectfully request that the case management conference currently scheduled for October 31,
19 2013, be continued until November 18, 2013.

20 DATED: October 23, 2013.

DAVIS WRIGHT TREMAINE LLP

21
22 By: /s/ Thomas R. Burke
23 THOMAS R. BURKE
24 Attorneys for Plaintiff JEFFREY
MARTINS

25 DATED: October 23, 2013.

MELINDA HAAG
UNITED STATES ATTORNEY

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27 By: /s/ Abraham A. Simmons
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~~PROPOSED~~ ORDER

The Court finds that just cause exists to continue the Case Management Conference until November 18, 2013. The Case Management Conference is reset to November 21, 2013 at 11:00 a.m. A Joint Case Management Statement (with updated information only) due November 14, 2013.
IT IS SO ORDERED.

DATED: October 25, 2013



Laurel Beeler
United States Magistrate Judge