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12 *Attorneys for Defendant*

13 UNITED STATES DISTRICT COURT
 14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

15	GABRIEL CRUZ,)	
16)	No. 3:15-cv-00134-SC
17	Plaintiff/Petitioner,)	
18	vs.)	STIPULATION TO EXTEND TIME TO
19	UNITED STATES CITIZENSHIP AND)	RESPOND TO COMPLAINT AND TO
20	IMMIGRATION SERVICES,)	CONTINUE CASE MANAGEMENT
21	Defendant/Respondent.)	CONFERENCE
22)	

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 25 Defendant/Respondent United States Citizenship and Immigration Services (“USCIS”)
 26 and Plaintiff/Petitioner Gabriel Cruz (together, the “Parties”), by and through counsel, hereby
 27 stipulate, subject to the approval of the Court, to the following:
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STIPULATION TO EXTEND TIME
 No. 3:15-CV-00134-SC

1 WHEREAS, Mr. Cruz filed his original petition for review of his naturalization
2 application on January 9, 2015 (ECF No. 1), and filed an amended petition on February 5, 2015
3 (ECF No. 10, "Petition");

4 WHEREAS, the United States Attorney was first served with the Petition and Summons
5 on February 13, 2015; accordingly, the current deadline under Fed. R. Civ. P. 12(a)(2) for
6 USCIS to respond to the Petition is April 14, 2015;

7 WHEREAS, USCIS anticipates filing a motion to dismiss pursuant to Fed. R. Civ. P.
8 12(b)(6) in response to the Petition;

9 WHEREAS, counsel for USCIS has requested, and counsel for Mr. Cruz has agreed to,
10 additional time to file its response to the Petition so that undersigned counsel for USCIS may
11 coordinate with the agency to adequately prepare the arguments in support of its motion to
12 dismiss; and

13 WHEREAS, the Case Management Conference is currently scheduled for April 17, 2015,
14 and the Parties' Joint Case Management Statement is due on April 10, 2015, *see* ECF No. 11;

15 WHEREAS, the Parties agree that, if the Court approves, postponing the Case
16 Management Conference to allow the Parties to confer regarding case management after the
17 motion to dismiss has been filed, will likely result in a more efficient use of the Parties' and the
18 Court's resources;

19 The Parties respectfully request that the Court:

- 20 1. Extend the deadline for USCIS to respond to the Petition to May 18, 2015; and
- 21 2. Continue the Case Management Conference until May 29, 2015, or to another date
22 thereafter as is convenient for the Court, and continue the corresponding deadline for
23 the filing of a Joint Case Management Statement.

24 **IT IS SO STIPULATED.**

25 DATED: April 7, 2015

1 *For Defendant/Respondent,*

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10 /s/ Katherine J. Shinnners
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16 *For Plaintiff/Petitioner,*

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23 Pursuant to stipulation, IT IS SO ORDERED.

24 Date: April 9, 2015


HON. SAMUEE CONTI
United States District Judge

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STIPULATION TO EXTEND TIME
No. 3:15-CV-00134-SC