

1 BENJAMIN C. MIZER
Principal Deputy Assistant Attorney General
2 WILLIAM C. PEACHEY
Director
3 CHRISTOPHER W. DEMPSEY
Assistant Director
4 EDWARD S. WHITE
Trial Attorney
5 N.Y. State Bar Reg. # 2088979
United States Department of Justice
6 Civil Division
Office of Immigration Litigation
7 District Court Section
P.O. Box 868, Ben Franklin Station
8 Washington, DC 20044
Telephone: (202) 616-9131
9 Facsimile: (202) 305-7000
Email: edward.s.white@usdoj.gov
10 Attorneys for Defendant

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

13	YA YUN WU,)	Case No. 3:16-cv-03774-MEJ
)	
14	Plaintiff,)	
)	
15	v.)	
)	
16	UNITED STATES CITIZENSHIP AND)	STIPULATION
	IMMIGRATION SERVICES;)	CONCERNING CASE MANAGEMENT
17	ROBIN BARRETT, SAN FRANCISCO)	
	FIELD OFFICE DIRECTOR, U.S.)	
18	CITIZENSHIP AND IMMIGRATION)	
	SERVICES,)	
19)	
	Defendants.)	Judge: Hon. Maria-Elena James
20	_____)	

21 Plaintiff and Defendants, by and through their respective attorneys of record, hereby
22 stipulate, subject to the approval of the Court, to the following:

23 STIPULATION 3:16-cv-03774-MEJ
24 CONCERNING CASE MANAGEMENT

1 1. On July 6, 2016, Plaintiff filed a complaint, pursuant to 8 U.S.C. § 1421(c), seeking
2 a *de novo* determination by this Court of her eligibility to naturalize. ECF No. 2.

3 2. On July 7, 2016, the Clerk of Court issued for this case a “Procedural Order for
4 Immigration Mandamus Cases.” ECF No. 4. The standard-form order provides an expedited
5 schedule for the filing of motions for summary judgment, makes no allowance for discovery,
6 and directs that no case management conference will be held, absent a request for a case
7 management conference. *Id.*

8 3. Plaintiff does not seek an order in the nature of a writ of mandamus, and has not
9 invoked the Mandamus Act, 28 U.S.C. § 1361.

10 4. The parties agree that in this case, brought pursuant to 8 U.S.C. § 1421(c), *inter*
11 *alia*, in which Plaintiff seeks a *de novo* determination by this Court of her eligibility for
12 naturalization and in which she bears the burden to demonstrate her eligibility to naturalize,
13 pretrial discovery is appropriate, and a trial on the merits may be necessary.

14 5. The parties, therefore, agree that this honorable Court should vacate the Procedural
15 Order for Immigration Mandamus Cases, ECF No. 4, and schedule this case for a case
16 management conference. In order to give the parties sufficient time in advance of the case
17 management conference to confer and prepare a joint case management statement, the parties
18 respectfully request the Court schedule the case management conference for ~~October 11, 2016~~
September 29, 2016.

19 **IT IS SO STIPULATED.**

20 Dated: August 24, 2016

21 LAW OFFICE OF ROBERT JOBE

22 /s/ Robert B. Jobe

ROBERT B. JOBE

23 550 Kearny Street, Suite 200
San Francisco, California 94208

24 STIPULATION
CONCERNING CASE MANAGEMENT

A joint Case Management Statement shall be due
September 22, 2016.

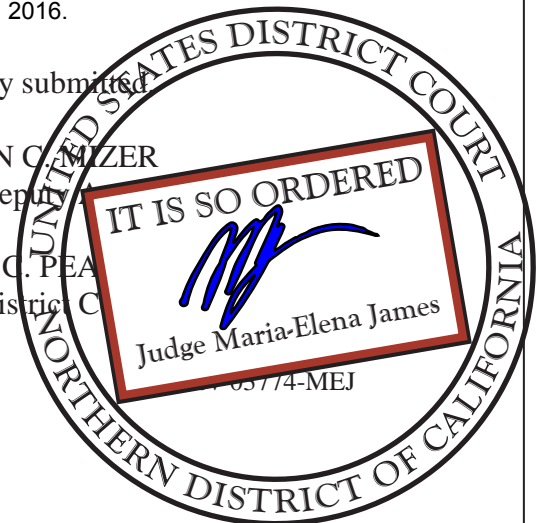
Respectfully submitted,

BENJAMIN C. PEPPER

Principal Deputy

WILLIAM C. PEPPER

Director, District Clerk



1 Tel: (415) 956-5513
2 Fax: (415) 840-0308
3 Email: bob@jobelaw.com

4 Attorney for Plaintiff

CHRISTOPHER W. DEMPSEY
Assistant Director, District Court Section

/s/ Edward S. White
EDWARD S. WHITE
N.Y. State Bar Reg. # 2088979
Trial Attorney
District Court Section
Office of Immigration Litigation
Civil Division
United States Department of Justice
P.O. Box 868, Ben Franklin Station
Washington, DC 20044-0868
Tel: (202) 616-9131
Fax: (202) 305-7000
Email: edward.s.white@usdoj.gov

Attorneys for Defendants

11 **FILER'S ATTESTATION**

12 I, Edward S. White, attest that all other signatories listed, and on whose behalf this filing
13 is submitted, concur in the content of this **STIPULATION CONCERNING CASE**
14 **MANAGEMENT**, and have authorized the filing.

15 Dated: August 24, 2016
16 Washington, D.C.

/s/ Edward S. White
EDWARD S. WHITE
Trial Attorney