Kim v. Kelly et al Doc. 20

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	NORTHERN DISTI)) SECOND STIPULATION	OF CALIFORNIA
16 17 18 19 20 21 22 23 24 25 26 27 28	JOHN F. KELLY, Secretary of Department of Homeland Security; JAMES MCCAMENT, Director of U.S. Citizenship and Immigration Services; and DOES 1 through 20, inclusive. Respondents.)))))))]	EXTEND TIME OF BRIEFING FOR MOTION TO DISMISS; [PROPOSED] ORDER IT'S SO ORDERED AS MODIFIED Immigration Case

SECOND STIPULATION TO EXTEND TIME Case No. 3:17-cv-02248-LB

Petitioner, by and through the attorney of record, and Respondents, by and through their attorney of record, hereby stipulate, subject to the approval of the Court, to the following:

- 1. Petitioner filed this action on April 23, 2017, and served the Petition on or about June 28, 2017.
- 2. Respondent filed a Motion to Dismiss for Lack of Jurisdiction filed on August 28, 2017.
- 3. The Opposition to Motion to Dismiss for Lack of Jurisdiction was extended to be due to be filed by Petitioner on December 11, 2017. The current calendared hearing date for this motion is scheduled for January 4, 2018.
- 4. The parties believe that additional time for filing an opposition may facilitate resolution without the need for judicial intervention in this case. Both parties have indicated a willingness to work together to try to resolve this matter administratively, and agree that resolution will require some additional time.
- 5. This is the parties' second request for an extension of time, and the extension of time would affect no other deadlines in the case and is not for the purpose of undue delay.
- 6. The parties therefore request a continuance of the hearing date to 9:30
 April 26, 2018 at 9:00 a.m. with extension of time for filing the 21
 Opposition to Motion to Dismiss for Lack of Jurisdiction to 15 days prior to the new continued hearing date and with extension of time for 14 filing the Reply to the Opposition to 10 days prior to the new continued hearing date in this action.

1	Dated: December 27, 2017	Respectfully submitted,
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3		LAW OFFICES OF ALEX C. PARK
4		/s/ Alex C. Park
5		Alex C. Park, Attorney for Petitioner
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1	Dated: December 27, 2017	CHAD A. READLER Acting Assistant Attorney General
2 3		Civil Division
4		WILLIAM C. PEACHEY
5		Director, Office of Immigration Litigation District Court Section
6		District Source Sources
7		JEFFREY S. ROBINS Assistant Director
8		
9		<u>/s/ <i>UBAID ul-Haq</i></u> UBAID ul-HAQ
10		Trial Attorney
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19		Attorneys for Respondents
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ORDER

Pursuant to stipulation, IT IS ORDEREDAS MODIFIED.

Date: 12/28/2017

United States Magistrate Judge