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6 Attorneys for Plaintiff  
 7 Youhao CHEN (a.k.a. Yu How Chen)

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 9 UNITED STATES DISTRICT COURT FOR THE  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION

12 Youhao CHEN (a.k.a. Yu How Chen)

Case No. C 08-4519 SBA

13 Plaintiff,

14 v.

**STIPULATION TO DISMISS;  
 15 ORDER**

16 Janet NAPOLITANO, in her Official Capacity,  
 Secretary, U.S. Department of Homeland Security;  
 17 Michael AYLES, in his Official Capacity, Acting  
 Deputy Director, U.S. Citizenship and Immigration  
 18 Services, U.S. Department of Homeland Security;  
 Christina POULOS, in her Official Capacity, Director,  
 19 California Service Center, U.S. Citizenship and  
 Immigration Services, U.S. Department of Homeland  
 20 Security; Eric HOLDER, in his Official Capacity,  
 Attorney General, U.S. Department of Justice; and  
 21 Robert S. MUELLER, III, in his Official Capacity,  
 Director, Federal Bureau of Investigation

22 Defendants.  
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1 Plaintiff, by and through his attorney of record, and Defendants, by and through their  
2 attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the  
3 above-entitled action without prejudice, in light of the fact that the United States Citizenship and  
4 Immigration Services has adjudicated Plaintiff's Immigrant Petition by Alien Entrepreneur  
5 (Form I-526 petition). Each of the parties will bear their own fees and costs.  
6

7 DATE: February 20, 2009

Respectfully submitted,

8 MARC VAN DER HOUT  
9 BETH FEINBERG  
10 Van Der Hout, Brigagliano &  
Nightingale, LLP

11 /s/  
12 BETH FEINBERG<sup>1</sup>  
13 Van Der Hout, Brigagliano &  
Nightingale, LLP

14 Attorneys for Plaintiff

15  
16 DATE: February 20, 2009

GREGORY G. KATSAS  
DAVID J. KLINE  
VICTOR M. LAWRENCE  
GEOFFREY FORNEY  
Office of Immigration Litigation

19 /s/  
20 GEOFFREY FORNEY  
21 Trial Attorney, District Court Section  
Office of Immigration Litigation

22 Attorneys for Defendants  
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<sup>1</sup> I, Beth Feinberg, attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/s/) within this e-filed document.

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**ORDER**

Pursuant to stipulation, IT IS SO ORDERED. All pending deadlines are hereby terminated.

DATE: 2/25/09



SAUNDRA B. ARMSTRONG  
United States District Court Judge