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7 Attorneys for Defendants

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 OAKLAND DIVISION
 11

12 BENJAMIN AGU,)
)
 13 Plaintiff/Petitioner,)
)
 14 v.)
)
 15 ROSEMARY MELVILLE, DIRECTOR,)
 USCIS SAN FRANCISCO DISTRICT)
 16 OFFICE, et al.,)
)
 17 Defendants/Respondents.)

No. C 08-5609-WDB

STIPULATION TO DISMISS; AND
~~**PROPOSED**~~ **ORDER**



18
 19 Plaintiff/Petitioner, by and through his attorney of record, and Defendants/Respondents, by and
 20 through their attorneys of record, hereby stipulate, subject to approval of the Court, to dismissal of
 21 the above-captioned case without prejudice in light of the fact that the United States Citizenship
 22 and Immigration Services has agreed to adjudicate the Plaintiff/Petitioner's naturalization
 23 application within thirty (30) days.

Each of the parties shall bear their own costs and fees.

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Date: February 12, 2009

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

/s/
EDWARD A. OLSEN
Assistant United States Attorney
Attorneys for Defendants/Respondents

Date: February 12, 2009

/s/
ROBERT B. JOBE
LAW OFFICE OF ROBERT B. JOBE
Attorneys for Plaintiff/Petitioner

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Date:

2/13/09


WAYNE D. BRAZIL
United States Magistrate Judge