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3 **UNITED STATES DISTRICT COURT**  
4 **NORTHERN DISTRICT OF CALIFORNIA**  
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8 **MONY PREAP, et al.,**

9 **Plaintiffs,**

10 **v.**

11 **JEH JOHNSON, et al.,**

12 **Defendants.**  
13

**Case No.: 13-CV-5754 YGR**

**ORDER IN ADVANCE OF ORAL ARGUMENT**

14 On December 12, 2013, Plaintiff-Petitioners filed the present action (Complaint.) (Dkt. No.  
15 1.) Plaintiffs assert claims for violations of the Immigration and Nationality Act (“INA”) and the  
16 Due Process Clause of the Fifth Amendment to the United States Constitution. (*See id.*)

17 On Tuesday, March 18, 2014, this Court will hear argument on three motions: (1) Plaintiffs’  
18 Motion for Preliminary Injunction; (2) Defendants’ Motion to Dismiss; and (3) Plaintiffs’ Motion  
19 for Class Certification. (*See* Dkt. No. 19.) During oral argument the parties should be prepared to  
20 address the following:

21 1. Reports published by the United States General Accounting Office:


- 22 a. “Criminal Aliens: INS’ Efforts To Identify and Remove Imprisoned Aliens  
23 Need To Be Improved,” Testimony Before the Immigration and Claims  
24 Subcommittee, Committee on the Judiciary, House of Representatives, July  
25 1997.
- 26 b. “Criminal Aliens: INS’ Efforts To Remove Imprisoned Aliens Continue to  
27 Need Improvement,” Report to the Chairman, Subcommittee on Immigration  
28 and Claims, Committee on the Judiciary, House of Representatives, October  
1998.

1 c. "Criminal Aliens: INS' Efforts To Identify and Remove Imprisoned Aliens  
2 Continue to Need Improvement," Testimony Before the Immigration and  
3 Claims Subcommittee, Committee on the Judiciary, House of Representatives,  
4 February 1999.

5 2. Any reports made by the Attorney General to Congress pursuant to 8 U.S.C. 1368,  
6 including when such reports were made and whether they related to or concerned in any  
7 way individuals held pursuant to Section 1226(c). *See* 8 U.S.C. § 1368(b)(1)(A).

8 **IT IS SO ORDERED.**

9 Date: March 17, 2014

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11 YVONNE GONZALEZ ROGERS  
12 UNITED STATES DISTRICT COURT JUDGE  
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