

1 BRIAN J. STRETCH (CABN 163973)

United States Attorney

2 SARA WINSLOW (DCBN 457643)

Chief, Civil Division

3 JULIE BIBB DAVIS (CABN 184957)

Assistant United States Attorney

4 450 Golden Gate Avenue, Box 36055

San Francisco, California 94102-3495

5 Telephone: (415) 436-7066

Facsimile: (415) 436-6748

6 Julie.Davis@usdoj.gov

7 Attorneys for Defendants

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

12 TAMIM ABDULFARID,

13 Plaintiff,

14 v.

15 JEFFERSON B. SESSIONS, U.S. Attorney
16 General; ELAINE DUKE, Acting Secretary of
17 Department of Homeland Security; ROBERT M.
18 COWAN, Director of the National Benefit Center,
19 U.S. Citizenship and Immigration Services,

20 Defendants.
21

)
) Case No. 17-cv-04496 KAW
)
) **JOINT STIPULATION OF DISMISSAL**
) **PURSUANT TO FEDERAL RULE OF**
) **CIVIL PROCEDURE 41 AND [PROPOSED]**
) **ORDER**

1 Pursuant to Federal Rule of Civil Procedure 41, the parties, Defendants Jefferson B. Sessions,
2 U.S. Attorney General; Elaine Duke, Acting Secretary of Department of Homeland Security, and Robert
3 M. Cowan, Director of the National Benefit Center, U.S. Citizenship & Immigration Services
4 (“USCIS”), (collectively, “Defendants”), and Plaintiff Tamim Abdulfarid, by and through their
5 respective counsel, stipulate to DISMISS Plaintiff’s complaint. The parties state as follows:

6 1. On August 7, 2017, Plaintiff filed his complaint in this immigration case seeking relief
7 under the Administrative Procedure Act, 5 U.S.C. § 701 *et seq.*;

8 2. On or about October, 2 2017, Plaintiff was issued a Notice to Appear (“NTA”) by the
9 Department of Homeland Security;

10 3. Accordingly, Plaintiff has agreed to refrain from pursuing this litigation, as the NTA has
11 initiated a case in which Plaintiff can pursue his remedies in Immigration Court.

12 THEREFORE, IT IS HEREBY STIPULATED by and between Plaintiff and Defendants that this
13 case is DISMISSED. Each party agrees to pay its own fees and costs associated with this case.

14 **SO STIPULATED.**

15 Dated: November 8, 2017

Respectfully submitted,

16 BRIAN J. STRETCH
17 United States Attorney

18 /s/ Julie Bibb Davis
19 Julie Bibb Davis
20 Assistant United States Attorney

Counsel for Defendants

21 Dated: November 8, 2017

/s/ Wahida Noorzad
22 Wahida Noorzad
23 39111 Paseo Padre Parkway, Suite 2017
24 Fremont, California 94538

Counsel for Plaintiff

25 **ECF ATTESTATION**

26 In accordance with Civil Local Rule 5(i)(3), I, Julie Bibb Davis, attest that I have obtained
27 concurrence in the filing of this document from the other signatory listed here.

28 JOINT STIPULATION OF DISMISSAL PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41 AND
[PROPOSED] ORDER
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~~PROPOSED~~ ORDER

Pursuant to Federal Rule of Civil Procedure 41, and stipulation of the parties, this case is
DISMISSED.

IT IS SO ORDERED.

DATED: 11/7/17



Hon. Kandis A. Westmore
United States Magistrate Judge