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8 Attorneys for Defendants

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN JOSE DIVISION

13 FANG, Ai Qiu)
 14 Plaintiff,)
 15 v.)
 16 MICHAEL CHERTOFF, Secretary of the)
 Department of Homeland Security; ROBERT)
 17 DEVINE, Acting Director, U.S.)
 Citizenship and Immigration Services;)
 18 CONDOLEEZZA RICE, Secretary of State,)
 Department of State; JACKIE WONG, Officer)
 19 in Charge, USCIS Guangzhou Office,)
 20 Defendants.)
 21 _____)

C05-4381 JF

**STIPULATION AND [PROPOSED]
 ORDER EXTENDING DEADLINE FOR
 RESPONSIVE PLEADING AND
 CONTINUING CASE MANAGEMENT
 CONFERENCE**

USCIS Case No. A 95-410-277

22 The parties to this action, through their attorneys, hereby stipulate and request as follows:
 23 1. Plaintiff filed this action on or about October 27, 2005. Defendants' answer currently is
 24 due on December 30, 2005. This case is scheduled for a case management conference on
 25 December 9, 2005 at 10:30 a.m.
 26 2. The complaint alleges, inter alia, that plaintiff's husband and child ("the beneficiaries")
 27 have not received any notice from the defendants about the required interview and visa issuance
 28 relating to plaintiff's two approved Refugee Asylee Relative Petitions (Form I-730).

1 3. The U.S. Citizenship and Immigration Services (“CIS”) has advised that it previously
2 scheduled an interview appointment for the beneficiaries on March 3, 2004, but the beneficiaries
3 did not appear for that interview. It appears that there may have been a miscommunication
4 regarding the correct address for the beneficiaries. The beneficiaries’ current address has now
5 been verified, and CIS has schedule a new interview appointment for January 4, 2006.

6 4. Accordingly, in order to allow time for the currently scheduled interview and to determine
7 whether this matter can be resolved without further litigation, the parties stipulate and request that
8 the Court enter an order stating that defendants may have to and including February 17, 2006 to
9 answer, move, or otherwise respond to plaintiff’s complaint in this action. The parties further
10 request that the case management conference, currently scheduled for December 9, 2005, be
11 rescheduled to March 3, 2006.

12 IT IS SO STIPULATED.

13 Dated: November 8, 2005

Respectfully submitted,

14 KEVIN V. RYAN
15 United States Attorney

16 /s/ Claire T. Cormier
17 CLAIRE T. CORMIER
18 Assistant United States Attorney
Attorneys for Defendants

19 Dated: November 8, 2005

BAUGHMAN & WANG

20 /s/ Justin X. Wang
21 JUSTIN X. WANG
22 Attorneys for Plaintiff

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PROPOSED ORDER

Pursuant to the stipulation of the parties and good cause appearing, the deadline for defendants to answer, move, or otherwise respond to the complaint in this action is hereby extended to February 17, 2006. The case management conference, previously scheduled for December 9, 2005, is hereby continued to March 3, 2006 at 10:30 a.m.

IT IS SO ORDERED.

DATE: 11/9/05 _____

/s/electronic signature authorized _____

Jeremy Fogel
United States District Judge