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6 Attorneys for Plaintiffs

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 8 UNITED STATES DISTRICT COURT FOR THE  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN JOSE DIVISION

11 A.M. Rashed CHOWDHURY,  
 Mumtaz CHOWDHURY,

12 Plaintiffs,

13 v.

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 15 Frank SICILIANO, his Official Capacity, Officer in  
 Charge, U.S. Citizenship and Immigration Services,  
 16 United States Department of Homeland Security, San  
 Jose, California; David STILL, in his Official  
 17 Capacity, District Director, U.S. Citizenship and  
 Immigration Services, United States Department of  
 18 Homeland Security, San Francisco, California;  
 Christina POULOS, in her Official Capacity, Acting  
 19 Director, U.S. Citizenship and Immigration Services  
 California Service Center, United States Department of  
 20 Homeland Security; Michael CHERTOFF, in his  
 21 Official Capacity, Secretary, United States Department  
 of Homeland Security; and Alberto R. GONZALES, in  
 22 his Official Capacity, Attorney General, U.S.  
 23 Department of Justice.

24 Defendants.

Case No. C 06-07132 JW

**PARTIES' STIPULATION  
 REGARDING BRIEFING  
 SCHEDULE AND  
 HEARING ON  
 PRELIMINARY  
 INJUNCTION MOTION**

Immigration Case, Administrative  
 Procedure Act Case

Agency No.: A75 246 305  
 A75 246 306

1 Plaintiffs have filed a petition for writ of mandamus and complaint for declaratory and  
2 injunctive relief. The parties have agreed to expedite briefing in this matter in lieu of Plaintiffs  
3 filing an application for a temporary restraining order, and because Plaintiff Rashed Chowdhury  
4 will lose his employment if an employment authorization document is not issued to him by  
5 December 8, 2006. The parties have agreed to the following briefing schedule, contingent on  
6 court approval:

- 7 1. Plaintiffs will file their motion for preliminary injunction on Friday November 17,  
8 2006.
- 9 2. Defendants will file their response by 12:00 p.m. on November 27, 2006.
- 10 3. Plaintiffs will file any reply by the end of the day of November 29, 2006.
- 11 4. The parties agree to a hearing date before this Court on December 4, 2006 at 9:00  
12 a.m., or as soon thereafter as the Court will hear the matter.

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15 Date: November 17, 2006

\_\_\_\_\_/s/\_\_\_\_\_  
MARC VAN DER HOUT  
Van Der Hout, Brigagliano & Nightingale, LLP  
Attorney for Plaintiffs

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17 Dated: November 17, 2006

Respectfully submitted,

\_\_\_\_\_/s/\_\_\_\_\_  
ILA C. DEISS  
Assistant United States Attorney  
Attorney for Defendants

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22 I declare under penalty of perjury that concurrence in the filing of this document has been  
23 obtained from Ila C. Deiss.

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25 Dated: November 17, 2006

\_\_\_\_\_/s/\_\_\_\_\_  
MARC VAN DER HOUT

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It is so ordered.

Dated: 11/22/2006

  
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Hon. James Ware  
United States District Judge

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PROOF OF SERVICE BY PERSONAL DELIVERY

I, Stacy Tolchin, the undersigned, say:

I am over the age of eighteen years and not a party to the within action or proceedings; my business address is Van Der Hout, Brigagliano & Nightingale, LLP, 180 Sutter Street, Fifth Floor, San Francisco, CA 94104.

On November 17, 2006, I caused to be served the within:

**PARTIES' STIPULATION REGARDING BRIEFING SCHEDULE AND HEARING ON PRELIMINARY INJUNCTION MOTION**

on the opposing counsel by personal delivery to:

Ila C. Deiss  
Assistant U.S. Attorney  
Office of the United States Attorney  
Northern District of California  
450 Golden Gate Ave., Tenth Floor  
San Francisco, CA 94102

Executed on November 17, 2006, at San Francisco, California. I declare under penalty of perjury, under the laws of the State of California that the foregoing is true and correct.

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Stacy Tolchin  
Declarant