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

12 MIRSAD HAJRO, JAMES R. MAYOCK,

13 Plaintiffs,

14 v.

15 UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES;

16 T. DIANE CEJKA, Director,
 USCIS National Records Center;
 17 ROSEMARY MELVILLE, USCIS District
 Director of San Francisco;

18 MICHAEL CHERTOFF, Secretary,
 Department of Homeland Security;

19 MICHAEL B. MUKASEY, Attorney General
 Department of Justice,

20 Defendants.
 21

) No. C 08-1350 PVT

) **STIPULATION TO EXTEND DATES;
 and [PROPOSED] ORDER**

22 Plaintiffs, by and through their attorney of record, and Defendants, by and through their
 23 attorneys of record, hereby stipulate, subject to the approval of the Court, to the following:

- 24 1. Plaintiffs filed this action on or about March 10, 2008. The Defendants filed their response
 25 to Plaintiffs' amended complaint on June 23, 2008.
- 26 2. On January 5, 2009, Defendants filed a Motion to Dismiss in Part, noticing a hearing date of
 27 February 10, 2009.
- 28 3. Pursuant to the Court's Order of January 22, 2009, granting in part the parties' second

Stipulation to Reset Dates
 C08-1350 PVT

1 request to extend dates, fact discovery cutoff is date is January 30, 2009.

2 4. On January 21, 2009, the parties engaged in a very productive round of mediation with
3 an appointed mediator and are considering a possible resolution of the case without further
4 litigation.

5 5. On January 23, 2009, the parties, with the support and encouragement of the mediator,
6 asked this Court to vacate the February 10, 2009 hearing date on Defendants' Motion to Dismiss,
7 and to hold this matter in abeyance for 60 days.

8 6. The mediation is ongoing and the parties respectfully ask for an additional 60 days in
9 order to resolve this matter without further litigation.

10 Dated: March 23, 2009

Respectfully submitted,

11 JOSEPH P. RUSSONIELLO
12 United States Attorney

13 _____
14 /s/
15 ILA C. DEISS¹
16 Assistant United States Attorney
17 Attorneys for Defendants

17 Dated: March 23, 2009

18 _____
19 /s/
20 KIP EVAN STEINBERG
21 Attorney for Plaintiffs

22 **ORDER**

23 Pursuant to stipulation, IT IS SO ORDERED. On or before May 23, 2009, the parties will
24 either file a stipulated dismissal or request other appropriate relief.

25 Date: 3/24/09

26 _____
27 *Patricia V. Trumbull*
28 PATRICIA V. TRUMBULL
United States Magistrate Judge

¹I, Ila Deiss, hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/s/) within this e-filed document.