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7 Attorneys for Defendants

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

11 BILL SHIH,

12 Plaintiff,

13 v.

14 U.S. Citizenship and Immigration Services,
 15 JONATHAN SCHARFEN, Director;
 U.S. Citizenship and Immigration Services,
 16 ANITA ERFAN, Director of San Jose Field
 Office; U.S. Department of Homeland Security,
 17 MICHAEL CHERTOFF, Secretary,

18 Respondents.

) No. C 08-5389 HRL

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)
) **PARTIES' CONSENT TO MAGISTRATE**
) **JUDGE JURISDICTION; STIPULATION**
) **TO DISMISS; AND [PROPOSED]**
) **ORDER**

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 20 In accordance with the provisions of 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73, Plaintiff and
 21 Defendants in this case hereby voluntarily consent to have a United States Magistrate Judge
 22 conduct any and all further proceedings in the case, including trial, and order the entry of a final
 23 judgment.

24 Further, Plaintiff, by and through his attorneys of record, and Defendants, by and through their
 25 attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the
 26 above-entitled action without prejudice in light of the fact that the United States Citizenship and
 27 Immigration Services is now prepared to adjudicate Plaintiff's application for naturalization and

28 Stipulation to Dismiss
 C 08-5389 HRL

1 agrees to do so within 21 days of the dismissal of this action. See 8 U.S.C. § 1447(b).

2 Each of the parties shall bear their own costs and fees.

3 Dated: December 31, 2008

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

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_____/s/_____
ILA C. DEISS¹
Assistant United States Attorney
Attorneys for Defendants

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10 Date: January 6, 2009

_____/s/_____
MING JI
Attorney for Plaintiff

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ORDER

14 Pursuant to stipulation, IT IS SO ORDERED.

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Date: 1/13/09



HOWARD J. LLOYD
United States Magistrate Judge

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¹ I, 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.

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