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|----------|---|---|--|
| 2 | JOANN M. SWANSON, CSBN 88143 Assistant United States Attorney | | |
| 3 | Chief, Civil Division ILA C. DEISS, NY SBN 3052909 | | |
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| 8 | Attorneys for Defendants | | |
| 9 | UNITED STATES DISTRICT COURT | | |
| 10 | NORTHERN DISTRICT OF CALIFORNIA | | |
| 11 | SAN JOSE DIVISION | | |
| 12 | JAIME LOPEZ-PAEZ, |)) No. C 09-3879 PVT | |
| 13 | Plaintiff, |)) | |
| 14 | V. |) STIPULATION TO DISMISS AND [PROPOSED] ORDER | |
| 15 | ROBERT MUELLER, III, Director, Federal Bureau of Investigation; |)) | |
| | ERIC H. HOLDER, JR., United States Attorney General; |)) | |
| 17 18 | Department of Homeland Security ("DHS"); |)) | |
| 19 | Citizenship and Immigration Services (USCIS); ROSEMARY MELVILLE, District Director, |) } | |
| 20 | USCIS; CAROL L. KELLER, San Jose Field Office | ,)) | |
| 21 | Director, USCIS, |)) | |
| 22 | Defendants. |)) | |
| 23 | Plaintiff, by and through his attorney of record, and Defendants, by and through their attorney | | |
| 24 | of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-entitled | | |
| 25 | action without prejudice in light of the fact that the United States Citizenship and Immigration | | |
| 26 | Services adjudicated Plaintiff I-130 application. | | |
| 27 | /// | | |
| 28 | /// | | |
| | Stipulation to Dismiss C09-3879 PVT 1 | | |

| 1 | Each of the parties shall bear their own costs and fees. | |
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| 2 | 2 | |
| 3 | 3 Dated: September 11, 2009 Res | pectfully submitted, |
| 4 | Uni | SEPH P. RUSSONIELLO ted States Attorney |
| 5 | | |
| 6 | | C. DEISS ¹ |
| 7 | Ass | istant United States Attorney |
| 8 | | orney for Defendants |
| 9 | | |
| 10 | DIN | /s/ JA M. SOKHN |
| 11 | | orney for Plaintiff |
| 12 | | |
| 13 | | |
| 14 | ORDER | |
| 15 | Pursuant to stipulation, IT IS SO ORDERED. | |
| 16 | | |
| 17 | DATED: 10/9/09 | efricia V. Frymball |
| 18 19 | Uni | TRICIA V. TRUMBULL ted States Magistrate Judge |
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| 26 | | |
| 27 | | holograph signatures for any signatures |
| 28 | indicated by a "conformed" signature (/S/) within this e-filed document. | |
| 10 | Stipulation to Dismiss C09-3879 PVT 2 | |