

****E-filed May 24, 2010****

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8 Attorneys for Defendants

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

12 NILESH PATEL,

13 Plaintiff,

14 v.

15 ERIC H. HOLDER, JR., Attorney General
of the United States; JANET NAPOLITANO,
16 Secretary, Department of Homeland Security;
CAROL KELLER, District Director, San Jose,
17 U.S. Citizenship and Immigration Services;

18 Defendants.

) No. C 09-5383 HRL

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

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

23 Additionally, Plaintiff, by and through his attorney of record, and Defendants, by and through
24 their attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the
25 above-entitled action without prejudice in light of the fact that the United States Citizenship and
26 Immigration Services is now prepared to adjudicate Plaintiff's application for naturalization and
27 agrees to do so within 30 days of the dismissal of this action. See 8 U.S.C. § 1447(b).

28 Stipulation to Dismiss
C 09-5383 HRL

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

2 Dated: May 21, 2010

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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9 Date: May 20, 2010

/s/

GABRIEL D. JACK
Attorney for Plaintiff

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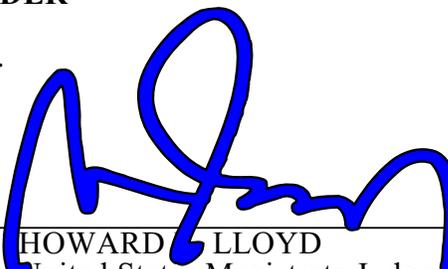
ORDER

13 Pursuant to stipulation, IT IS SO ORDERED.

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16 Date: May 24, 2010



HOWARD 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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