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15 Attorneys for Plaintiffs

16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA  
 18 SAN JOSE DIVISION

19 P.A., on behalf of her children:  
 20 minor son CDC; minor son JDC;  
 21 minor daughter ELA; and minor  
 22 daughter GLA

23 Plaintiffs,

24 vs.

25 FEDERAL BUREAU OF  
 26 INVESTIGATION, U.S.  
 27 IMMIGRATION AND CUSTOMS  
 28 ENFORCEMENT OFFICE, and  
 DOES 1 TO 50, inclusive

Defendants.

) Case No. 10:CV-02811 PVT  
 )  
 )  
 )  
 )  
 ) PETITION FOR [XXXXXXXXXXXX] ORDER  
 ) CONTINUING CASE MANAGEMENT  
 ) CONFERENCE AND CASE  
 ) MANAGEMENT STATEMENT  
 )  
 )  
 )  
 )  
 )

1           Petitioner, Plaintiff P.A., through her counsel of record, Alex C. Park and George G.  
2 Benetatos, hereby submit this petition and proposed order for continuance of the Case  
3 Management Conference, currently scheduled for November 9, 2010, and vacating related  
4 deadlines, including the deadline for filing the F.R.C.P. 26(f) Report and Case  
5 Management Statement. Plaintiff proposes a new Case Management Conference date of  
6 February 15, 2011 and related deadlines to be rescheduled accordingly.

7           This petition for proposed order is for good cause due to the fact that service of this  
8 action on defendants was delayed in consideration of related settlement negotiations that  
9 Plaintiff was participating in with the defendant, FBI, involving criminal charges brought  
10 against Plaintiff that stem from the same facts and events that are the basis of this  
11 litigation.

12           The settlement negotiations resulted in entry of a plea agreement in the matter  
13 before the United States District Court in Northern District California, San Jose Division,  
14 as Case No. CR-08-00328 RMW before The Hon. Judge Whyte. Only after the plea  
15 agreement was put on the record was it determined by the defendant that impact of the plea  
16 agreement on immigration status was unacceptable. Further negotiations to revise the plea  
17 agreement were unsuccessful. Defendant is now in the process of preparing a motion to  
18 withdraw plea in the criminal matter.

19           Now that plea and settlement negotiations in the related matter have failed Plaintiff  
20 sent the complaint, summons and process papers for service on defendants in this litigation  
21 on or about October 29, 2010. No proof of service has yet been received by Plaintiffs and  
22 no appearance has been made on behalf of defendants.

23 Respectfully submitted,

24  
25 DATED: November 5, 2010

LAW OFFICES OF ALEX C. PARK

26 By:   /s/ Alex Park    
27       ALEX PARK  
28       Attorney for Plaintiffs

DATED: November 5, 2010

By: /s/ George G. Benetatos  
George G. Benetatos,  
Attorney for Plaintiffs

**ORDER**

For good cause shown above,

The Case Management Conference is continued to February 15, 2011 and all related deadlines are hereby vacated to be rescheduled.

**IT IS SO ORDERED.**

DATED: 11/5/2010

*Patricia V. Trumbull*  
HONORABLE PATRICIAL V. TRUMBALL  
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, JUDGE