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11 Attorneys for Plaintiffs

12 UNITED STATES DISTRICT COURT  
 13 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE

14 Shia Association of Bay Area, Inc. et al,

No. 11-01369 JF

15 Plaintiffs,

STIPULATION for Extension of Time for  
 Defendants to Answer or Otherwise Respond to  
 the Complaint and for Filing, Briefing and  
 Argument on Plaintiffs' Anticipated Summary  
 Judgment Motion

17 v.

18 United States of America, et al,

and

~~PROPOSED~~ ORDER

19 Defendants.

Immigration Case, Mandamus, Administrative  
 Procedure Act Case

21 Before: Honorable Jeremy Fogel

1           The parties hereby respectfully request that this Court approve the parties' stipulation to  
2 extend Defendants' time to answer or otherwise respond to Plaintiffs' Complaint and approve the  
3 parties' stipulation regarding the filing, briefing and argument on Plaintiffs' anticipated motion  
4 for summary judgment. The parties agree to the following terms:

- 5           1.       Plaintiffs properly served the Complaint on March 25, 2011, and Defendants'  
6 Answer or Response is currently due on May 24, 2011; and
- 7           2.       Defendants shall have until June 24, 2011, to answer or otherwise respond to the  
8 Complaint and to file the Certified Administrative Record; and
- 9           3.       If Plaintiffs amend their complaint between June 3, 2011 and June 23, 2011,  
10 Defendants may have three weeks time from the date of any such filing to file their  
11 answer or other response to an amended complaint and to file the Certified  
12 Administrative Record.
- 13          4.       Plaintiffs' anticipated motion for summary judgment is to be filed by July 22,  
14 2011.
- 15          5.       Defendant's opposition and/or cross motion is to be filed by August 12, 2011.
- 16          6.       Plaintiffs' reply and/or opposition is to be filed by August 31, 2011.
- 17          7.       Defendants' reply is to be filed September 14, 2011.
- 18          8.       Argument will be heard on the motion(s) on October 6, 2011 1:30 p.m.
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1 Dated: May 12, 2011

Respectfully submitted,

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/s/ \_\_\_\_\_

Marc Van Der Hout

Stacey Gartland

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Van Der Hout, Brigagliano & Nightingale, LLP

Attorneys for Plaintiffs

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6 Dated: May 12, 2011

Respectfully submitted,

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/s/ \_\_\_\_\_

Melissa S. Leibman

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Trial Attorney

United States Department of Justice

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Office of Immigration Litigation, DCS

Attorney for Defendants


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12 Pursuant to stipulation, IT IS SO ORDERED.

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14 Date: 5/13/2011

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Hon. Jeremy Fogel  
United States District Judge

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CERTIFICATE OF SERVICE

I, Melissa Leibman, the undersigned, certify:

I am over the age of eighteen years and not a party to the within action or proceedings;  
I am a Trial Attorney for the United States Department of Justice and my office is located at  
450 5<sup>th</sup> St. NW, Rm 6022 Washington, D.C., 20001. On May 12, 2011, I caused the  
STIPULATION for Extension of Time for Defendants to Answer or Otherwise Respond to the  
Complaint and for Filing, Briefing, and Argument on Plaintiffs' Anticipated Summary Judgment  
Motion and [PROPOSED] ORDER to be filed with the Clerk of Court for the United States  
District Court for the Northern District of California by using the appellate CM/ECF system.

I also certify that Marc Van Der Hout, of Van Der Hout, Brigagliano & Nightingale,  
LLP, 180 Sutter Street, Fifth Floor, San Francisco, CA 94104, who has entered his appearance  
on behalf of Plaintiffs, is a registered CM/ECF user and that service will be accomplished by the  
appellate CM/ECF system.

/s/ \_\_\_\_\_  
Melissa S. Leibman  
Trial Attorney  
United States Department of Justice  
Office of Immigration Litigation, DCS  
  
Attorney for Defendants