

The Honorable Richard A. Jones

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 U.S. DISTRICT COURT  
 WESTERN DISTRICT OF WASHINGTON  
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UNITED STATES DISTRICT COURT FOR THE  
 WESTERN DISTRICT OF WASHINGTON  
 AT SEATTLE

OLEG CHURYUMOV,

C18-0841-RAJ

Plaintiff,

STIPULATED MOTION AND  
~~PROPOSED~~ ORDER  
 REGARDING BRIEFING  
 SCHEDULE

v.

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES (USCIS),

**Noted on Motion Calendar:  
 December 6, 2018**

Defendant.

**STIPULATION**

Plaintiff filed this action seeking review of a decision by U.S. Citizenship and Immigration Services (“USCIS”). Dkt. No. 1. The parties agree that Plaintiff’s action is brought pursuant to the Administrative Procedures Act, 5 U.S.C. § 702. As such, the parties agree that Plaintiff’s case is “an action for review on an administrative record,” falling under a category of cases in Federal Rule of Civil Procedure (“FRCP”) 26(a)(1)(E)(i) that are exempt from the requirements set forth in FRCP 26(a) and (f) pertaining to the “lay down” of discovery, the participation of the parties in a discovery conference, and the presentation of a joint discovery plan.

~~Stipulation and [Proposed] Order  
 Case No. C18-0841-RAJ-1~~

UNITED STATES ATTORNEY  
 1201 PACIFIC AVE., STE. 700  
 TACOMA, WASHINGTON 98402  
 (253) 428-3800

1 Plaintiff Oleg Churyumov brings his action against Defendant USCIS and alleges that:  
2 “on February 22, 2016, he submitted his Form i-140 (petition for visa of a person with  
3 extraordinary ability) to USCIS. Then, USCIS denied his petition. Plaintiff believes this denial  
4 was unlawful.” Complaint, Dkt. No. 1, III Statement of Claim. As relief, “Plaintiff asks this  
5 Court to revoke the USCIS decision and approve Plaintiff’s i-140 form.” *See id.* at IV, Relief.  
6 Defendant USCIS has answered the complaint. *See* Answer, Dkt. No. 9.  
7


8 Accordingly, the parties respectfully request that the Court accept and approve this  
9 Stipulation, in lieu of a joint status report pursuant to the Court’s Order dated November 15,  
10 2018. *See* Order, Dkt. No. 17. The parties have agreed to the following proposed briefing  
11 schedule for the filing of summary judgment motions and any responses thereto:  
12

- 13 1. Plaintiff shall file a motion for summary judgment, which must not exceed twenty-  
14 four pages, no later than March 21, 2019 and note it on the motion calendar for May  
15 10, 2019;
- 16 2. Defendant shall file its combined response and cross motion for summary judgment,  
17 which must not exceed twenty-four pages, no later than April 18, 2019 and note it on  
18 the motion calendar for May 10, 2019;
- 19 3. Plaintiff shall file his combined response to Defendant’s cross motion and reply to  
20 Plaintiffs’ motion, which must not exceed twelve pages, no later than May 10, 2019.
- 21 4. Defendant shall file its reply, which must not exceed twelve pages, in support of its  
22 cross motion no later than May10, 2019.  
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**ORDER**

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3 The parties having so stipulated, IT IS ORDERED that the parties will comply with the  
4 above stipulated briefing schedule.

5 Dated this 10<sup>th</sup> day of December, 2018.

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8 Richard A. Jones  
9 United States District Judge

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