

Hon. Marsha J. Pechman

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ROSHANAK ROSHANDEL, et al.,

Plaintiffs,

v.

MICHAEL CHERTOFF, Secretary, United States
Department of Homeland Security, et al.,

Defendants.

No. C07-1739-MJP

JOINT STIPULATION AND
[PROPOSED] ORDER OF CLASS-
WIDE REMAND

JOINT STIPULATION

COMES NOW, the parties, by and through their respective attorneys of record, and respectfully ask the Court to remand all of the N-400 Applications for Naturalization filed by the Class Members in this case to the United States Citizenship and Immigration Services (“USCIS”).

As of July 21, 2008, 283 Class Members’ naturalization applications were ready for adjudication. Both parties request an order pursuant to 8 U.S.C. § 1447(b) from the Court that USCIS shall:

- (1) adjudicate a minimum of 283 naturalization applications from the Class and schedule those individuals who are eligible to be naturalized from this group of 283 Class Members for an oath ceremony on or before September 19, 2008;¹ and

¹ In accordance with Paragraph 12 of the Settlement Agreement, if additional Class Members decide to opt-out of the Class, the number of individuals who opt-out after July 21, 2008 shall be subtracted from the total number of applications that must be adjudicated by September 19, 2008.

1 (2) USCIS shall have until October 18, 2008 to adjudicate the remaining Class
2 Members' naturalization applications and schedule those individuals who are
3 eligible to be naturalized for an oath ceremony on or before October 18, 2008.

4 This stipulation is filed in conjunction with the parties' Settlement Agreement. The parties
5 agree that should USCIS be unable to adjudicate the Class Members' applications in accordance
6 with this remand order, the parties are bound by the procedures outlined in Section IV of the
7 Settlement Agreement. Should the Court not approve the Settlement Agreement, this remand is
8 void. Likewise, should the Court not approve the remand, the Settlement Agreement is void.

9 In addition, the parties respectively stipulate that this remand does not constitute an award
10 of attorneys' fees and costs to either party except as set forth in the Settlement Agreement.

11 Finally, the parties respectfully stipulate that the Court shall retain jurisdiction to enforce
12 the terms of this Stipulation in accordance with Section IV of the Settlement Agreement.

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1 Stipulated to and Presented by:

2 DATED: August 11, 2008.

DATED: August 11, 2008.

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Local Counsel for Defendants

ORDER

The parties having so stipulated, the above is **SO ORDERED**. The Clerk is directed to send copies of this Order to all counsel of record.

DATED this _____ day of August, 2008.

District Judge Marsha J. Pechman

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