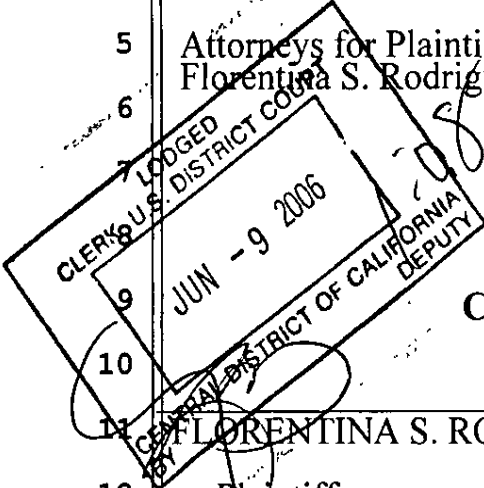
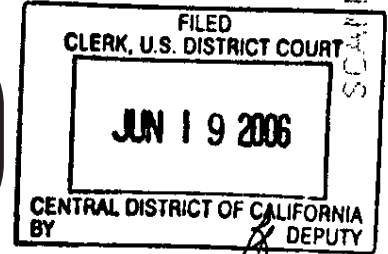


1 Thomas H. Chung, Esq. [SBN.: 192466]
2 POPKIN, SHAMIR & GOLAN
3 3600 Wilshire Boulevard
4 Suite 1118
5 Los Angeles, CA 90010
6 Tel: 213.383.3222
7 Fax: 213.365.9922

8 Attorneys for Plaintiff
9 Florentina S. Rodriguez



10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA

12 FLORENTINA S. RODRIGUEZ,
13 Plaintiff,
14 v.
15 ALBERTO GONZALES, Attorney
16 General, United States Department of
17 Justice; MICHAEL CHERTOFF,
18 Secretary, United States Department of
19 Homeland Security; EDUARDO
20 AGUIRRE, JR., Director, United States
21 Citizenship and Immigration Services;
22 CONDOLEEZA RICE, Secretary,
23 United States Department of State;
24 DAVID TYLER, Director, National Visa
25 Center,
26 Defendants.

Docket No.: CV 04-8671-DSF (AJWx)

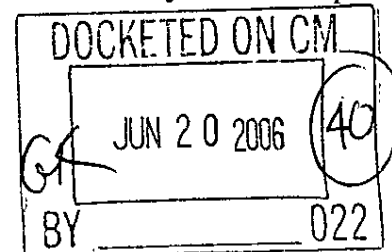
[Proposed] Order

Priority
Send
Enter
Closed
JS-5/IS-6
JS-2/JS-3
Scan Only

22 This action came on for hearing before the Court, Honorable Dale S. Fischer,
23 District Judge, presiding, and the issues have been duly heard and a decision having
24 been duly rendered.

25 It is Ordered and Adjudged that:

- 26 1. Per the Child Status Protection Act of 2002, P.L. 107-208 ("CSPA"),
27 section 2, as codified in I.N.A. § 201(f)(1), 8 U.S.C. § 1151(f)(1), and
28 CSPA § 8(1), all Defendants in this action shall re-classify Glenn Sapida



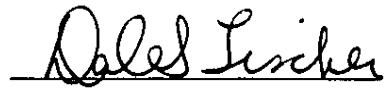
1 Rodriguez ("Mr. Rodriguez") as an "immediate relative" pursuant to a
2 Petition for Alien Relative (Form I-130) ("Petition") filed on January 8,
3 1999 (WAC-99-074-50032) by the Plaintiff, Florentina Sapida Rodriguez
4 ("Ms. Rodriguez"), pursuant to I.N.A. § 204(a)(1)(A)(i), 8 U.S.C. §
5 1154(a)(1)(A)(i) to classify Mr. Rodriguez as an "immediate relative"
6 under I.N.A. § 201(b)(2)(A)(i), 8 U.S.C. § 1151(b)(2)(A)(i).

- 7 2. If the Petition or Petition's case file is under the possession or control of
8 the U.S. Embassy in Manila, Philippines, the Immigrant Visa Chief
9 ("IVC"), within 30 days after service of this Order, shall re-classify Mr.
10 Rodriguez as an "immediate relative" (*see above*, ¶ 1); shall proceed to
11 process Mr. Rodriguez's case as an "immediate relative" beneficiary, and
12 shall serve written notice of the change in immigrant visa classification to
13 Mr. Rodriguez at his last known address and to Thomas Chung at Popkin,
14 Shamir & Golan, 3600 Wilshire Boulevard, Suite 1118, Los Angeles,
15 California 90010 ("the Firm").
- 16 3. If the Petition or Petition's case file is under the possession or control of
17 the U.S. State Department's National Visa Center ("NVC"), then the NVC,
18 within 30 days after service of this Order, shall re-classify Mr. Rodriguez
19 as an "immediate relative" (*see above*, ¶ 1); shall process Mr. Rodriguez's
20 case as an "immediate relative" beneficiary, and shall serve written notice
21 of the change in immigrant visa classification and the processing of the
22 Petition as an "immediate relative" beneficiary case, to Mr. Rodriguez at
23 his last known address and to the Firm.
- 24 4. If the Petition or Petition's case file is now or in the future under the
25 possession or control of the U.S. Department of Homeland Security
26 ("DHS"), then DHS, within 30 days after service of this Order or within 30
27 days after DHS obtains possession or control of the Petition or Petition's
28 case file, shall re-classify Mr. Rodriguez as an "immediate relative" (*see*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

above, ¶ 1); shall forward the Petition to the NVC accompanied by a written notice of the change to Mr. Rodriguez's immigrant visa classification, and shall serve written notice of the change in Mr. Rodriguez's immigrant visa classification and forwarding of the Petition to the NVC, to Mr. Rodriguez at his last known address and to the Firm.

5. The NVC, within 30 days after service of this Order, shall serve all the necessary information and application forms to start the immigrant visa application process for Mr. Rodriguez to the Firm.
6. The Court shall retain jurisdiction and authority to supervise the enforcement of the Order and Judgment in this action until a decision on Mr. Rodriguez's application for an immigrant visa to the United States of America is served on Mr. Rodriguez at his last known address and to the Firm.


Dale S. Fischer
U.S. District Court Judge

Dated: 6-19-06

SCANNED

CERTIFICATE OF SERVICE

I, the undersigned, certify and declare the following:

I am a citizen of the United States and resident and employed in Los Angeles County, California: that my business address is POPKIN, SHAMIR & GOLAN, 3600 Wilshire Blvd., Suite 1118, Los Angeles, CA, 90010; that I am over the age of eighteen years and am not a party to this action;

That I am a member of the Bar of the United States District Court, Central District of California;

On the date this Certificate was executed, I caused to be deposited in the United States Mail at the business address referenced above, a sealed envelope bearing the required postage and containing the following:

[Proposed] Order

FLORENTINA S. RODRIGUEZ V. ALBERTO GONZALES, et. Al.
Case No. CV 04-8671 DSF (AJWx)

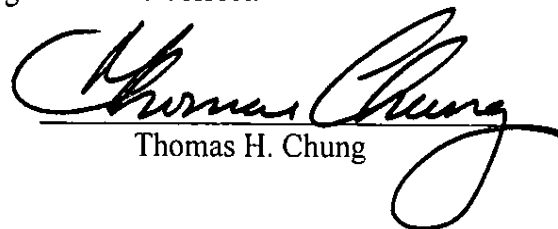
and addressed to the following person(s):

Joanne S. Osinoff
Assistant United States Attorney
300 North Los Angeles Street
Room 7516
Los Angeles, CA 90012

at their last known address at which place there is a delivery service by United States Mail.

This Certificate is executed on June 8, 2006 at Los Angeles, California.

I certify under penalty of perjury that the foregoing is true and correct.


Thomas H. Chung