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 11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

13)	CASE NO.: 3:06-cv-00545-WHA
14	RAHINAH IBRAHIM,)	
15	<i>Plaintiff,</i>)	DECLARATION OF
16	vs.)	INDRANEEL SUR IN SUPPORT
17	DEPARTMENT OF HOMELAND)	OF JOINT STIPULATED
18	SECURITY, et al.,)	REQUEST TO HOLD CASE IN
19	<i>Defendants.</i>)	ABEYANCE PENDING
20)	IMPLEMENTATION OF
)	SETTLEMENT AGREEMENT
)	AND TO SET SETTLEMENT
)	STATUS CONFERENCE

21 I, Indraneel Sur, declare as follows:

- 22 1. I am one of the attorneys for the Federal Defendants in this action.
- 23 2. I respectfully submit this declaration in support of the Joint Stipulated
- 24 Request to Hold this Case in Abeyance pending Implementation of the Settlement
- 25 Agreement and to Set a Settlement Status Conference, filed today (Joint Stipulated
- 26 Request). I have personal knowledge of the facts set forth in this Declaration. If
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1 called as a witness, I could and would testify competently to the matters set forth
2 herein.

3 3. Plaintiff Rahinah Ibrahim (Plaintiff) and Defendants Department of
4 Homeland Security *et al.* (Defendants) (together, the Parties) proposed, through the
5 case management statement of July 22, 2020 (Dkt. 864), a briefing schedule on
6 Plaintiff's Renewed Motion for Attorney's Fees and Costs in accordance with the *en*
7 *banc* opinion of the United States Court of Appeals for the Ninth Circuit (Renewed
8 Motion).

9 4. The Court issued an Order on August 6, 2020 endorsing the Parties' proposed
10 briefing schedule on the Renewed Motion (Dkt. 866). Plaintiff then filed her
11 Renewed Motion on August 20, 2020 (Dkt. 869).

12 5. The Court endorsed on September 10, 2020 the Parties' proposed order
13 continuing the hearing on Plaintiff's Renewed Motion to November 5, 2020, and
14 extending the briefing schedule (Dkt. 871). In stipulating and requesting that first
15 proposed order, the Parties explained that Defendants had made an offer for a
16 global settlement, and Plaintiff had accepted it. The Parties accordingly had a
17 settlement in principle, and needed additional time to draft a written agreement and
18 obtain final approval by the Department of Justice.

19 6. The Court endorsed as modified on October 6, 2020 the Parties' proposed
20 order further continuing the hearing on Plaintiff's Renewed Motion to December 17,
21 2020, and extending the briefing schedule (Dkt. 874). In stipulating and requesting
22 that proposed order, the Parties explained that the Parties had reached agreement
23 on the written settlement agreement; Defendants needed to obtain final
24 authorization for the settlement from the Principal Deputy Associate Attorney
25 General; and, once final authorization was obtained, Defendants needed time to issue
26 payment pursuant to the settlement agreement.

1 7. As the Parties explain in today’s Joint Stipulated Request: Since the events
2 giving rise to this Court’s Order of October 6, 2020, Defendants have obtained final
3 authorization for the executed settlement agreement from the Principal Deputy
4 Associate Attorney General. Now that final authorization has been obtained,
5 Defendants will need time to issue payment pursuant to the settlement agreement.

6 8. I have conferred with counsel for Plaintiff, by email and by telephone, at
7 various times, including on November 4, 2020, regarding the proposed order
8 submitted today, which, if it were to be endorsed by this Court, would hold this
9 action in abeyance pending implementation of the settlement agreement, and would
10 set a settlement status conference. In part through those exchanges with counsel
11 for Plaintiff, the Parties have agreed to file the Joint Stipulated Request, to
12 respectfully ask this Court, under Civil Local Rules 6-2 and 7-12, to take those steps,
13 which would conserve resources and facilitate the Parties’ efforts to carry out the
14 terms of the settlement.

15 9. Since the United States Supreme Court on October 15, 2019 denied review of
16 the judgment of the Ninth Circuit in this case, the Parties have sought two
17 extensions of time, which this Court granted, as noted in Paragraphs 5 and 6 above.

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19 I declare under penalty of perjury that the foregoing is true and correct. Executed
20 this 4th day of November 2020, at Washington, District of Columbia.

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By: /s/ Indraneel Sur
INDRANEEL SUR