

NOTE CHANGES MADE BY COURT

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION (LOS ANGELES)

ANDREW MASON DVASH-
BANKS AND E.J. D.-B.,

Plaintiffs,

v.

THE UNITED STATES
DEPARTMENT OF STATE,
and THE HONORABLE
MICHAEL R. POMPEO,
Secretary of State,

Defendants.

Case No. 2:18-cv-00523-JFW-(JCx)

JUDGMENT

Pursuant to the Court's February 21, 2019 Order Granting in Part and Denying in Part Plaintiffs' Motion for Partial Summary Judgment and Order Granting in Part and Denying in Part Defendants' Motion for Partial Summary Judgment ((“Order”) ECF No. 123),

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED
THAT JUDGMENT is entered in this matter as follows:

(1) Judgment on the 8 U.S.C. § 1503(a) claim is hereby entered for Plaintiffs for the reasons stated in the Court's Order.

(2) The Court declares that Ethan Jacob Dvash-Banks is a national and citizen of the United States who acquired U.S. citizenship at birth by operation of Section 301(g) of the Immigration and Nationality Act, 8 U.S.C. § 1401(g).

1 (3) The Department of State is ordered to issue to E.J. a United States
2 passport as soon as is practicable but not later than 45 days from the date of entry
3 of this Judgment.

4 (4) If E.J. and Andrew and Elad Dvash-Banks elect to apply in person
5 for a Consular Report of Birth Abroad ("CRBA") for E.J. at the Toronto Consulate
6 General or any other Consular Office of the State Department outside of the United
7 States, the Department of State is ordered to issue to E.J. a CRBA as soon as
8 practicable but not later than 45 days from the date of the consular interview in
9 connection with that application.

10 (5) The Dvash-Banks family will not be charged any additional fees
11 by the Department of State for obtaining the aforementioned passport or CRBA,
12 having already paid these fees to the Department of State for E.J.'s initial
13 applications, which were improperly denied.

14 (6) Judgment is hereby entered in favor of Defendants with respect to
15 Plaintiffs' Administrative Procedure Act claim.

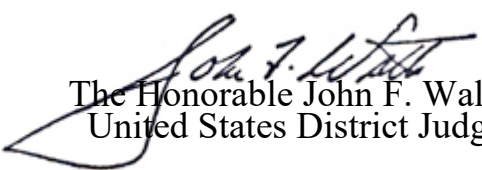
16 (7) Plaintiffs' claim under the Due Process Clause of the Fifth
17 Amended is moot and is hereby dismissed with prejudice.

18 (8) If any elements of any of the claims asserted in this action by any
19 party were not the subject of either summary judgment motion, the Court's Order,
20 or this Judgment, they are similarly moot and are dismissed.

21 (9) The Court retains jurisdiction to adjudicate any applications for
22 attorneys' fees and costs as allowed by law. Plaintiffs may move this Court
23 separately for attorneys' fees and costs.

24 It is So Ordered.

25 Date: March 6, 2019

26 
The Honorable John F. Walter
27 United States District Judge
28

Respectfully submitted,

By: /s/ Alexa Lawson-Remer
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