

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PEDRO LOZANO, et al.

Plaintiffs,

v.

CITY OF HAZLETON

Defendants.

: CIVIL ACTION NO. 3:06-cv-01586-JMM
: (Hon. James M. Munley)
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STIPULATION AND ORDER

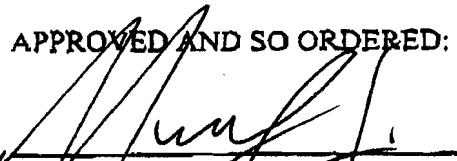
It is hereby stipulated by and between duly authorized counsel for Plaintiffs and the Defendant as follows:

1. On August 15, 2006, Plaintiffs filed a Complaint alleging that Ordinance 2006-10, the "Illegal Immigration Relief Act Ordinance" (the "Ordinance"), which was enacted by Defendant City of Hazleton ("Hazleton") on July 13, 2006, is unconstitutional. The Complaint seeks declaratory, injunctive and other relief.
2. Plaintiffs have notified Defendant's counsel that they intend to file a motion for preliminary injunction to enjoin enforcement of the current Ordinance.
3. Hazleton has expressed an intention to adopt a new ordinance to replace Ordinance No. 2006-10.
4. Defendant, including its officers and agents, shall not act to enforce Ordinance 2006-10 (as well as accompanying Ordinance 2006-16, which also relates to immigration matters), for at least twenty (20) days after the date Defendant either (a) enacts a new immigration-related ordinance ("New Ordinance") or (b) notifies Plaintiffs' counsel in writing that the City intends to enforce any of Ordinance(s) 2006-10 and/or 2006-16.
5. Defendant's deadline to file its response to the Complaint is extended to October 2, 2006.

6. Plaintiffs may file an amended complaint or motions for injunctive relief, and otherwise pursue the action, at any time after Defendant either enacts a new ordinance or provides written notification that it intends to enforce one or more of the two ordinances identified in paragraph 4.
7. This Stipulation is being entered into by the parties, through their duly authorized counsel, and is not to be construed as an admission of fact or liability by any of the parties.
8. This agreement shall be enforceable by the parties exclusively in this Court.


Thomas G. Wilkinson, Esquire
For the Plaintiffs


Andrew B. Adair, Esquire
For the Defendant

APPROVED AND SO ORDERED:

Hon. James M. Munley U.S.D.J.