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FILED  
CLERK, U.S. DISTRICT COURT  
OCT 17 2005  
CENTRAL DISTRICT OF CALIFORNIA  
BY [Signature] DEPUTY

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CLERK, U.S. DISTRICT COURT  
OCT - 7 2005  
CENTRAL DISTRICT OF CALIFORNIA  
DEPUTY

ORIGINAL

UNITED STATES DISTRICT COURT FOR THE  
CENTRAL DISTRICT OF CALIFORNIA

18 CHANG, Wen-Wan, *et al.*,  
19 Plaintiff,  
20 vs.  
21 UNITED STATES OF AMERICA,  
22 Defendant

Case No.: CV 99-10518-GHK(AJWx)  
STIPULATION AND PROPOSED  
ORDER RE JOINT  
FORMULATION OF NEW CLASS  
DEFINITION FILED PURSUANT  
TO THIS COURT'S AUG. 29, 2005  
ORDER

Before: Judge George H. King

24 AHN, Kyung, Sook, *et al.*,  
25 Plaintiff,  
26 vs.  
27 UNITED STATES OF AMERICA,  
28 Defendant

Consolidated with:  
Case No.: CV 01-07382-GHK(AJWx)

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OCT 18 2005  
BY [Signature] 021

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**STIPULATION AND ORDER**

14 Plaintiffs and Defendant, by and through their respective undersigned  
15 counsel, have agreed on a New Class Definition, to be inserted into the Plaintiffs'  
16 Second Amended Consolidated Complaint, pursuant to this Court's August 29,  
17 2005 Order, and stipulate as follows:

The new, agreed-upon Class Definition is as follows:

21 **All aliens, including derivative beneficiaries, who invested in one of the**  
22 **AIS Partnerships described in paragraphs 215 to 242 of the original**  
23 **Ahn Complaint, who had an I-526 petition approved by the Attorney**  
24 **General after January 1, 1995 and before August 31, 1998, and were**  
25 **granted conditional residence status pursuant to the Immigration and**  
26 **Nationality Act (INA), section 203(b)(5), 8 U.S.C. § 1153(b)(5), and who**  
27 **timely filed, in accordance with INA § 216A(c)(1)(A), 8 U.S.C. §**  
28 **1186b(c)(1)(A), and before November 2, 2002, an I-829 petition**  
**requesting the removal of such conditional basis, and who have received**

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1 or will receive a denial of their permanent residency because they are  
2 unable to comply with the investment and employment requirements  
3 under INA §§ 203(b)(5) and 216A and existing regulations as a result of:  
4 (1) the retroactive application of the standards announced in Matter of  
5 Izumii and its progeny; (2) the affirmative misconduct of the  
6 Defendants in approving class members I-526 petitions on which the  
7 class members detrimentally relied; and/or (3) APA, abuse of discretion,  
8 ultra vires, and due process and equal protection violations.


9 Dated: Thursday, October 06, 2005

10 Respectfully submitted,

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12  
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SO ORDERED.

  
HON. GEORGE H. KING  
United States District Judge

DATED: 10/14/05