

**NOTICE OF SETTLEMENT AGREEMENT  
IN CLASS ACTION FOR NON-CITIZENS WHO HAVE  
RECEIVED OR ARE RECEIVING SUPPLEMENTAL SECURITY INCOME**

**KAPLAN, ET AL. v. CHERTOFF, ET AL., Civil Action No. 06-5304  
IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**TO:** All non-United States citizens who are receiving or have received Supplemental Security Income (“SSI”) and are or will be subject to the seven-year limit on receiving SSI pursuant to 8 U.S.C. § 1612(a)(2)(A) (such as refugees and asylees), prior to becoming a naturalized United States citizen.

You are hereby notified that a **Stipulation and Agreement of Settlement and Release** has been signed by the parties, resolving the claims that have been brought on your behalf in this law suit.

**Purpose Of This Notice**

This notice has two purposes: 1) to tell you about the settlement; and 2) to tell you how to obtain more information, including a copy of the full settlement agreement.

**Background**

This class action lawsuit (“Kaplan”) was filed on December 6, 2006, to challenge alleged delays by the government in adjudicating applications for adjustment of status (“Form I-485”) and naturalization (“Form N-400”) for those who are receiving or have received SSI benefits and the resulting actual or potential cut-off of SSI benefits. The parties have reached a settlement that the Court has approved.

**Description Of Settlement Agreement**

The following description is only a summary of the key points in the settlement agreement. Information on obtaining a copy of the full, proposed agreement is provided after this summary. The Effective Date of the agreement is **March 5, 2008**. The duration of the settlement agreement will be for two (2) years and eleven (11) months from the Effective Date.

The key terms of the settlement agreement provide that any class member may request Expedited Processing from the United States Citizenship and Immigration Service (“USCIS”) for pending applications for naturalization or adjustment of status, or for future applications for naturalization or adjustment of status filed during the pendency of the Settlement Agreement, if six months have elapsed since the filing of the pertinent application without a decision. USCIS will request priority processing of any pending or future security checks and provide the earliest available appointment for applications requiring an appointment. If an

Oath of Allegiance is required, USCIS will administer or schedule the Oath at the next available opportunity.

USCIS will also, through identifying information provided by SSA, attempt to identify individuals whose SSI benefits have been terminated or will be terminated in the near future and have pending applications for naturalization or adjustment of status. Where those individuals are positively identified, USCIS will automatically expedite their pending application. The automatic expedites will take place close to the end of the first year of the Settlement Agreement.

If a class member has a pending Form I-485 or Form N-400 and has received or is receiving SSI benefits, he or she (or his or her representative) may call USCIS at 1-800-375-5283 ("the USCIS 1-800 number") and request Expedited Processing. Expedited Processing may also be requested in writing or by going to the local USCIS office.

After the Effective Date of the agreement (March 5, 2008) if Expedited Processing has already been requested, but the applicant has not received notice of a decision, he or she may call the USCIS 1-800 number to verify that an Expedite has been initiated in his or her case. If 45 days have passed since the call to the USCIS 1-800 number with no response, or if the response from USCIS was unsatisfactory, class members should contact Class Counsel.

The agreement further provides that, in consideration of the other provisions in the agreement, class members release all defendants from all "settled claims." For a complete description of the releases and "settled claims," you should obtain a full copy of the settlement agreement. Defendants do not admit any wrongdoing, fault or liability, nor may their agreement to the preservation of the March 29, 2007 decision on the motion to dismiss be construed as either party's acceptance of any of the findings of fact or conclusions of law contained in that decision. The settlement agreement cannot be used against defendants as evidence of any presumption, concession or admission of any liability, negligence, fault or wrongdoing in future actions.

**For Further Information:**

Copies of the proposed settlement may be obtained from: 1) The USCIS website ([www.uscis.gov](http://www.uscis.gov)); 2) the SSA website ([www.socialsecurity.gov](http://www.socialsecurity.gov)); and local community-based and non-profit organizations through USCIS' Community Relations Program.

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