

EXHIBIT 2

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

Nos. 04-2946/ 04-2170

Ventantius Nkafor Ngwanya, et al.,

Appellees,

v.

United States Attorney General, et al.,

Appellants.

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Appeal from the United States  
District Court for the  
District of Minnesota

The parties having reached a Stipulated Settlement Agreement in this case, dated January 31, 2005, which will resolve all pending matters and, if approved by the District Court, will result in dismissal of these appeals; and the parties having moved this Court for an order:

a) effecting a limited remand of this case to the District Court with instructions that the District Court review the parties' stipulated settlement Agreement, hold a fairness hearing pursuant to FRCP 23(e), and determine whether to approve the stipulated settlement Agreement; and

b) holding defendants/appellants' appeals in abeyance pending the District Court's decision whether to approve the stipulated settlement Agreement;

Therefore, IT IS ORDERED THAT:

THIS case is remanded in part to the District Court with instructions that the District

Court review the parties' stipulated settlement Agreement, hold a fairness hearing pursuant to FRCP 23(e), and determine whether to approve the stipulated settlement Agreement; and

THESE appeals are held in abeyance pending the District Court's decision whether to approve the stipulated settlement Agreement.

Dated \_\_\_\_\_

UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT