

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

| | | |
|-----------------------------------|---|------------------|
| MAHAVEER, INC., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. |
| |) | 04-1275 (GK) |
| SANDRA T. BUSHEY, <u>et al.</u> , |) | |
| |) | |
| Defendants. |) | |
| |) | |

ORDER

Plaintiff, Mahaveer, Inc., brings this action under the Administrative Procedure Act, 5 U.S.C. §§ 701-706 ("APA"), against Defendants Sandra T. Bushey, Acting District Director for the Vermont Service Center for the U.S. Department of Homeland Security, John Ashcroft, former Attorney General of the United States, and the Department of Homeland Security. Plaintiff challenges Defendants' decision to deny its application for an extension of the stay in this country of one of its employees as an L-1A intra-company transferee nonimmigrant.

This matter is before the Court on Defendants' Motion to Dismiss or for Summary Judgment. Upon consideration of the Motion, Opposition, and Reply, and the entire record herein, and for the reasons in the Memorandum Opinion, it is hereby

ORDERED that Defendants' Motion, [#10], is **granted** and Plaintiff's Amended Complaint is **dismissed** in its entirety.

The parties should note that this is an appealable Order subject to Federal Rule of Appellate Procedure 4. See Fed. R. App. P. 4.

June 19, 2006

/s/_____
Gladys Kessler
U.S. District Judge

Copies to: Attorneys of record via ECF