

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

MAHLON KIRWA, *et al.*,

Plaintiffs,

v.

**UNITED STATES DEPARTMENT OF
DEFENSE, *et al.*,**

Defendants.

Civil Action No. 17-1793(ESH)

ORDER

In light of defendants' non-opposition to plaintiffs' motion for class certification, ECF No. 40, and the Court having independently satisfied itself that the requirements of Federal Rule of Civil Procedure 23 are met, it is hereby

ORDERED that plaintiffs' motion for class certification, ECF No. 12, is **GRANTED** pursuant to Rules 23(a), 23(b)(1)(A), and 23(b)(2) of the Federal Rules of Civil Procedure. The class consists of all persons who (1) have enlisted in the U.S. military through the Military Accessions Vital to the National Interest ("MAVNI") program prior to October 13, 2017, (2) have served in the Selected Reserve of the Ready Reserve ("Selected Reserve"), and (3) have not received a completed and duly authenticated Form N-426; it is further

ORDERED that plaintiffs are granted leave to substitute new named plaintiffs who have yet to receive a completed Form N-426; it is further

ORDERED that plaintiffs' counsel is appointed as class counsel; and it is further

ORDERED that notification will not be sent to class members until the Court approves

the notification.

/s/ Ellen Segal Huvelle
ELLEN SEGAL HUVELLE
United States District Judge

Date: December 1, 2017