

ABO & Furuya v. Rogers (cons. no. 25294-G)  
Bronsonell, et al., etc.,

78/177  
C

Hiroshi Stone

NAKAI

Bal. \$250.<sup>00</sup>

Berkeley, Calif



Wayne M. Collins  
1300 Mills Tower  
San Francisco 4, Calif.  
GARfield 1-5827  
Attorney for Plaintiffs.

ORIGINAL  
F I L E D

Dec 4, 1956

Clerk, U.S. Dist. Court  
San Francisco

IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TADAYASU ABO, et al., etc.,

Plaintiffs,

-vs-

HERBERT BROWNELL, JR., as Attorney  
General of the United States, etc., et al.,

Defendants.

and

MARY KANAME FURUYA, et al., etc.,

Plaintiffs,

-vs-

HERBERT BROWNELL, JR., as Attorney  
General of the United States, etc., et al.,

Defendants.

No. 25294

Cons.No. 25294-G

No. 25295

FINAL ORDER, JUDGMENT AND DECREE AS TO CERTAIN NAMED PLAINTIFFS

AS TO WHOM THE DEFENDANTS HAVE WITHDRAWN ALL OFFERS OF PROOF

This cause (originally consisting of companion suits Nos.  
25294-G and 25295-G which had been consolidated under No. 25294-G)  
being submitted to this Court, sitting without a jury, for decision  
of the cause of certain individual parties-plaintiff hereinafter  
named, pursuant to the "DEFENDANTS' WITHDRAWAL OF OFFERS OF PROOF  
AS TO CERTAIN NAMED PLAINTIFFS AND CONSENT TO IMMEDIATE ACTION"  
filed herein and approved this date by this Court;



1 And it being conceded therein by counsel for certain defendants,  
2 namely the Attorney General of the United States, and those under  
3 his authority, that the evidence with respect to such named plain-  
4 tiffs which the defendants have offered to produce is insufficient  
5 to overcome the presumption established by the decision of the  
6 United States Court of Appeals for the Ninth Circuit in this cause  
7 (McGrath v. Abo, 186 F. 2d 766), that the said plaintiffs' renun-  
8 ciations of citizenship were not their free and voluntary acts,  
9 and such concession being consistent with the Court's conclusion  
10 as to the effect of the applicable law in the circumstances; and  
11 formal findings of fact and conclusions of law having been waived;

12 And counsel for such parties-defendant having withdrawn any  
13 objection to the entry of a final order, judgment and decree, in  
14 accordance with the mandate of the Court of Appeals in this cause  
15 and having given their consent to immediate action by this Court  
16 in that regard as to the hereinafter specifically identified parties-  
17 plaintiff; and there being no just reason for delay;

18 NOW, THEREFORE, pursuant to Section 503 of the Nationality Act  
19 of 1940 as amended (former Title 8 U.S.C. Sec. 903), which was by  
20 Sec. 405 of the Act of June 27, 1952, 66 Stat. 280, effective  
21 December 24, 1952, continued in force and effect for purposes of  
22 this cause, and pursuant to the provisions of such "DEFENDANTS'  
23 WITHDRAWAL OF OFFERS OF PROOF AS TO CERTAIN NAMED PLAINTIFFS AND  
24 CONSENT TO IMMEDIATE ACTION,"

25 It is ORDERED, ADJUDGED, AND DECREED as and for a final order,  
26 judgment and decree directed to be entered in this cause:

27 I

28 That the plaintiffs hereinafter identified and listed in the  
29 attached schedule of five pages containing 152 names, are and at  
30 all times have been natives, nationals and citizens of the United  
31 States of America, and entitled to the rights and privileges of  
32 such nationality and citizenship, notwithstanding their purported



1 applications for renunciation of United States nationality pursuant  
2 to Section 401(i) of the Nationality Act of 1940, as amended, their  
3 purported renunciations of United States nationality pursuant  
4 thereto and the approvals thereof given by the Attorney General, all  
5 of which occurred during the calendar years 1944 and 1945, and all  
6 of which are hereby declared to be and at all times to have been  
7 null, void and without legal effect upon the status and rights as  
8 nationals and citizens of the United States of any such plaintiffs  
9 whose names and birthdates are set forth on the attached schedule.

10 II

11 That no cost shall be taxed by the clerk to any party.

12 Done in open Court this 4th day of December, 1956.

13  
14 /s/ Louis E. Goodman

15 UNITED STATES DISTRICT JUDGE  
16  
17

18 APPROVED AS TO FORM:

19 Lloyd H. Burke, United States Attorney

20 by: /s/ Charles Elmer Collett

21 Assistant United States Attorney

22 Attorneys for Defendants.  
23

24 NAME

BIRTHDATE

25  
26  
27 NAKAI, Hiroshi

1-1-19  
28  
29  
30  
31  
32



UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,

Plaintiffs,

-vs-

HERBERT BROWNELL, JR., as Attorney General  
of the United States, etc., et al.,

Defendants.

No. 25294

----- and -----

Cons. No. 25294-G

MARY KANAME FURUYA, et al., etc.,

Plaintiffs,

-vs-

HERBERT BROWNELL, JR., as Attorney General  
of the United States, etc., et al.,

Defendants.

No. 25295

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court  
in and for the Northern District of California, do hereby certify  
that the annexed and foregoing is a true copy of excerpt of the  
original FINAL ORDER, JUDGMENT AND DECREE AS TO CERTAIN NAMED  
PLAINTIFFS AS TO WHOM THE DEFENDANTS HAVE WITHDRAWN ALL OFFERS OF  
PROOF made and filed in the above-entitled cause on December 4, 1956,  
and entered December 4, 1956, with the name of \_\_\_\_\_

NAKAI, Hiroshi

a plaintiff, remaining among the records of the said Court in my  
office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and  
affixed the seal of the aforesaid Court at San Francisco, California,  
this 17 day of Dec, A.D. 1956.

C. W. CALBREATH,  
Clerk,

By Margaret P. Bean  
Deputy Clerk.



Nakai, Shizuye

Wayne M. Collins  
Mills Tower, 220 Bush Street  
San Francisco 4, California  
GARfield 1-5827  
Attorney for Plaintiffs.

ORIGINAL  
FILED  
APR 13 1959  
Clerk, U.S. Dist. Court  
San Francisco

IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TADAYASU ABO, et al., etc.,  
Plaintiffs,  
-vs-  
WILLIAM P. ROGERS, as Attorney  
General of the United States, etc., et al.,  
Defendants.

and

MARY KANAME FURUYA, et al., etc.,  
Plaintiffs,  
-vs-  
WILLIAM P. ROGERS, as Attorney  
General of the United States, etc., et al.,  
Defendants.

No. 25294

Cons.No. 25294-G

No. 25295

FINAL ORDER, JUDGMENT AND DECREE AS TO CERTAIN NAMED PLAINTIFFS  
AS TO WHOM THE DEFENDANTS HAVE WITHDRAWN ALL OFFERS OF PROOF

This cause (originally consisting of companion suits Nos. 25294-G and 25295-G which had been consolidated under No.25294-G) being submitted to this Court, sitting without a jury, for decision of the cause of certain individual parties-plaintiff hereinafter named, pursuant to the "DEFENDANTS' WITHDRAWAL OF OFFERS OF PROOF AS TO CERTAIN NAMED PLAINTIFFS AND CONSENT TO IMMEDIATE ACTION" filed herein and approved this date by this Court;



And it being conceded therein by counsel for certain defendants, namely the Attorney General of the United States, and those under his authority, that the evidence with respect to such named plaintiffs which the defendants have offered to produce is insufficient to overcome the presumption established by the decision of the United States Court of Appeals for the Ninth Circuit in this cause (McGrath v. Abo, 186 F. 2d 766), that the said plaintiffs' renunciations of citizenship were not their free and voluntary acts, and such concession being consistent with the Court's conclusion as to the effect of the applicable law in the circumstances; and formal findings of fact and conclusions of law having been waived;

And counsel for such parties-defendant having withdrawn any objection to the entry of a final order, judgment and decree, in accordance with the mandate of the Court of Appeals in this cause and having given their consent to immediate action by this Court in that regard as to the hereinafter specifically identified parties-plaintiff; and there being no just reason for delay;

NOW, THEREFORE, pursuant to Section 503 of the Nationality Act of 1940 as amended (former Title 8 U.S.C. Sec. 903), which was by Sec. 405 of the Act of June 27, 1952, 66 Stat. 280, effective December 24, 1952, continued in force and effect for purposes of this cause, and pursuant to the provisions of such "DEFENDANTS' WITHDRAWAL OF OFFERS OF PROOF AS TO CERTAIN NAMED PLAINTIFFS AND CONSENT TO IMMEDIATE ACTION,"

It is ORDERED, ADJUDGED, AND DECREED as and for a final order, judgment and decree directed to be entered in this cause:

I

That the plaintiffs hereinafter identified and listed in the attached schedule of three pages containing 76 names, are and at all times have been natives, nationals and citizens of



1 the United States of America, and entitled to the rights and  
2 privileges of such nationality and citizenship, notwithstanding  
3 their purported applications for renunciation of United States  
4 nationality pursuant to Section 401(i) of the Nationality Act  
5 of 1940, as amended, their purported renunciations of United  
6 States nationality pursuant thereto and the approvals thereof  
7 given by the Attorney General, all of which occurred during the  
8 calendar years 1944 and 1945, and all of which are hereby  
9 declared to be and at all times to have been null, void and  
10 without legal effect upon the status and rights as nationals  
11 and citizens of the United States of any such plaintiffs whose  
12 names and birthdates are set forth on the attached schedule.

13 II

14 That no cost shall be taxed by the clerk to any party.

15 Done in open Court this 13 day of April, 1959.

16  
17  
18 LOUIS E. GOODMAN  
19 UNITED STATES DISTRICT JUDGE  
20

21 APPROVED AS TO FORM:

22  
23 GEORGE COCHRAN DOUB, Assistant Attorney General  
24 ROBERT H. SCHNACKE, United States Attorney, and a Defendant  
25 ENOCH E. ELLISON, Attorney, Department of Justice  
26 OLLIE COLLINS, Attorney, Department of Justice

27 By /s/ Charles Elmer Collett

28 Assistant United States Attorney  
29 Attorneys for Defendants.  
30

31 NAME

DATE OF BIRTH

32 NAKAI, Shizuye (Shizue)

2-13-22



UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,	(	
	)	
Plaintiffs,	(	
-vs-	)	No. 25294
	(	
WILLIAM P. ROGERS, as Attorney General	)	
of the United States, etc., et al.,	(	
	)	
Defendants.	(	
	)	
and	(	
-----	)	Cons. No. 25294-G
	(	
MARY KANAME FURUYA, et al., etc.,	)	
	(	
Plaintiffs,	)	
-vs-	(	No. 25295
	)	
WILLIAM P. ROGERS, as Attorney General	(	
of the United States, etc., et al.,	)	
	(	
Defendants.	)	
-----	(	

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court  
in and for the Northern District of California, do hereby certify that  
the annexed and foregoing is a true copy of excerpt of the original  
FINAL ORDER, JUDGMENT AND DECREE AS TO CERTAIN NAMED PLAINTIFFS AS  
TO WHOM THE DEFENDANTS HAVE WITHDRAWN ALL OFFERS OF PROOF made and  
filed in the above-entitled cause on APR 13 1959  
and entered APR 13 1959, with the name of  
Shizuye (Shizue) Nakai  
a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and  
affixed the seal of the aforesaid Court at San Francisco, California,  
this 13 day of April, A.D. 1959.

C. W. CALBREATH,  
Clerk,

By Margaret P. Blair  
Deputy Clerk.



*Nakama, Shiges*

1 Wayne M. Collins  
2 Attorney at Law  
3 Mills Tower, 220 Bush Street  
4 San Francisco 4, California  
5 GARfield 1-5827  
6 Attorney for Plaintiffs

ORIGINAL  
FILED  
SEP 30 1958  
Clerk, U.S. Dist. Court  
San Francisco

7 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9	-----	}	
10	TADAYASU ABO, et al., etc.,		
11	-vs-		No. 25294
12	Plaintiffs,		
13	WILLIAM P. ROGERS, as Attorney General	}	
14	of the United States, etc., et al.,		
15	Defendants.		
16	and		Cons. No. 25294-G
17	-----		
18	MARY KANAME FURUYA, et al., etc.,	}	
19	-vs-		
20	Plaintiffs,		No. 25295
21	Defendants.		
22	-----		

22 FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
23 PARTIES-PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS  
24 UNITED STATES NATIONALS

25 This cause (originally consisting of companion suits Nos.  
26 25294-G and 25295-G, which have been consolidated under No. 25294-  
27 G) being submitted to this Court, sitting without a jury, for  
28 decision on the merits of the individual causes of certain parties-  
29 plaintiff, hereinafter named, pursuant to a written "Stipulation Re  
30 Judgment as to Certain Named Parties-Plaintiff Who Have Been Docu-  
31 mented or Recognized as United States Nationals" entered into  
32 between the parties hereto and filed herein this date; and it being  
stipulated that, subsequent to their purported renunciations of  
United States nationality pursuant to the provisions of Section  
401(1) of the Nationality Act of 1940, as amended (former Title  
8 U.S.C., Section 801 (1) ), during the calendar years 1944 and  
1945, said plaintiffs have been documented or recognized as United  
States nationals upon their applications duly made either to the  
Department of State or to the United States Immigration and  
Naturalization Service, and it being stipulated that such purported  
acts of renunciation occurred while such parties-plaintiff were  
resident at the Segregation Center of the War Relocation Authority  
at Tule Lake, Newell, California; and the attorneys for the  
defendant Attorney General and those acting under his authority  
having withdrawn all offers of proof heretofore made herein with  
respect to such parties-defendant and conceding that they have



1 made out a prima facie case for relief under the ruling of the  
2 United States Court of Appeals for the Ninth Circuit in this cause  
3 (McGrath v. Abo, 186 F. 2d 766), such concession being consistent  
4 with the Court's conclusions as to the effect of applicable law in  
5 the circumstances; and formal findings of fact and conclusions of  
6 law herein being waived; and the Court being advised that counsel  
7 for such defendants will offer no objection to the entry of a final  
8 order, judgment and decree on the merits of the causes herein, in  
9 favor of the hereinafter specifically identified parties-plaintiff;  
10 and there being no just reason for delay;

11 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
12 Act of 1940, as amended (former Title 8, U.S.C., Section 903)  
13 which was, by Section 405 of the Act of June 27, 1952, 66 Stat.  
14 280, effective December 24, 1952, continued in force and effect  
15 for the purpose of this cause, and pursuant to the terms of such  
16 stipulation.

17 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
18 judgment and decree directed to be entered in this cause:

19 I.

20 That the plaintiffs hereinafter identified are and at all  
21 times have been, natives, nationals and citizens of the United  
22 States of America, and entitled to the rights and privileges of  
23 such nationality and citizenship, notwithstanding their purported  
24 applications for renunciation of United States nationality under  
25 Section 401 (i) of the Nationality Act of 1940, as amended, their  
26 purported renunciations of United States nationality pursuant  
27 thereto and the approvals thereof given by the Attorney General,  
28 all of which occurred during the calendar years 1944 and 1945,  
29 A.D., and all of which are hereby declared to be, and at all times  
30 to have been, null, void and without legal effect upon the status  
31 and rights as nationals and citizens of the United States of any  
32 such plaintiffs, whose names and birthdates are as follows:

NAME	BIRTHDATE
NAKAMA, Shigeo	6-10-18

II.

That no costs shall be taxed by the Clerk to any party.

Done in open Court this 29 day of September, 1958.

/s/ LOUIS E. GOODMAN  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

GEORGE COCHRAN DOUB, Assistant Attorney General  
ROBERT H. SCHNACKE, United States Attorney, and a Defendant  
ENOCH E. ELLISON, Attorney, Department of Justice  
PAUL J. GRUMBLY, Attorney, Department of Justice.

By: /s/ Charles Elmer Collett  
Assistant United States Attorney  
Attorneys for Defendants.



UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,	Plaintiffs,	}	No. 25294
vs.			
WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,	Defendants,	}	Cons. No. 25294-G
and			
MARY KANAME FURUYA, et al., etc.,	Plaintiffs,	}	No. 25295
vs.			
WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,	Defendants.	}	

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true copy of excerpt of the original FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED PLAINTIFFS WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS UNITED STATES NATIONALS, made and filed in the above entitled cause on SEP 29 1958 and entered SEP 30 1958, with the name of Shigeo Nakama, a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California this 30 day of September, A. D. 1958.

C. W. CALBREATH,  
Clerk,

By

Dore E. Knepper  
Deputy Clerk.



Nakamori, Kenji

Wayne M. Collins  
Attorney at Law  
Mills Tower, 220 Bush Street  
San Francisco 4, California  
GARfield 1-5827  
Attorney for Plaintiffs

ORIGINAL  
FILED  
MAR 31 1959  
Clerk, U.S. Dist. Court  
San Francisco

IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TADAYASU ABO, et al., etc.,  
Plaintiffs,

-vs-

WILLIAM P. ROGERS, as Attorney General  
of the United States, etc., et al.,  
Defendants.

and

MARY KANAME FURUYA, et al., etc.,  
Plaintiffs,

-vs-

WILLIAM P. ROGERS, as Attorney General  
of the United States, etc., et al.,  
Defendants.

No. 25294

Cons. No. 25294-G

No. 25295

FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
PARTIES-PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS  
UNITED STATES NATIONALS

This cause (originally consisting of companion suits Nos. 25294-G and 25295-G, which have been consolidated under No. 25294-G) being submitted to this Court, sitting without a jury, for decision on the merits of the individual causes of certain parties-plaintiff, hereinafter named, pursuant to a written "Stipulation Re Judgment as to Certain Named Parties-Plaintiff Who Have Been Documented or Recognized as United States Nationals" entered into between the parties hereto and filed herein this date; and it being stipulated that, subsequent to their purported renunciations of United States nationality pursuant to the provisions of Section 401(i) of the Nationality Act of 1940, as amended (former Title 8 U.S.C., Section 801 (i) ), during the calendar years 1944 and 1945, said plaintiffs have been documented or recognized as United States nationals upon their applications duly made either to the Department of State or to the United States Immigration and Naturalization Service, and it being stipulated that such purported acts of renunciation occurred while such parties-plaintiff were resident at the Segregation Center of the War Relocation Authority at Tule Lake, Newell, California; and the attorneys for the defendant Attorney General and those acting under his authority having withdrawn all offers of proof heretofore made herein with respect to such parties-defendant and conceding that they have



1 made out a prima facie case for relief under the ruling of the  
2 United States Court of Appeals for the Ninth Circuit in this cause  
3 (McGrath v. Abo, 186 F. 2d 766), such concession being consistent  
4 with the Court's conclusions as to the effect of applicable law in  
5 the circumstances; and formal findings of fact and conclusions of  
6 law herein being waived; and the Court being advised that counsel  
7 for such defendants will offer no objection to the entry of a final  
8 order, judgment and decree on the merits of the causes herein, in  
9 favor of the hereinafter specifically identified parties-plaintiff;  
10 and there being no just reason for delay;

11 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
12 Act of 1940, as amended (former Title 8, U.S.C., Section 903)  
13 which was, by Section 405 of the Act of June 27, 1952, 66 Stat.  
14 280, effective December 24, 1952, continued in force and effect  
15 for the purpose of this cause, and pursuant to the terms of such  
16 stipulation,

17 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
18 judgment and decree directed to be entered in this cause:

19 I.

20 That the plaintiffs hereinafter identified are and at all  
21 times have been, natives, nationals and citizens of the United  
22 States of America, and entitled to the rights and privileges of  
23 such nationality and citizenship, notwithstanding their purported  
24 applications for renunciation of United States nationality under  
25 Section 401 (i) of the Nationality Act of 1940, as amended, their  
26 purported renunciations of United States nationality pursuant  
27 thereto and the approvals thereof given by the Attorney General,  
28 all of which occurred during the calendar years 1944 and 1945,  
29 A.D., and all of which are hereby declared to be, and at all times  
30 to have been, null, void and without legal effect upon the status  
31 and rights as nationals and citizens of the United States of any  
32 such plaintiffs, whose names and birthdates are as follows:

NAME	BIRTHDATE
NAKAMORI, Kenso	8-30-21

II.

That no costs shall be taxed by the Clerk to any party.

Done in open Court this 21 day of March 1959.

/s/ LOUIS E. GOODMAN  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

GEORGE COCHRAN DOUB, Assistant Attorney General  
ROBERT H. SCHNACKE, United States Attorney, and a Defendant  
ENOCH E. ELLISON, Attorney, Department of Justice  
PAUL J. GRUMBLY, Attorney, Department of Justice.

By: /s/ Charles Elmer Collett  
Assistant United States Attorney  
Attorneys for Defendants.



UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,	)	
	)	
Plaintiffs,	)	
vs.	)	
	)	
WILLIAM P. ROGERS, as Attorney General	)	No. 25294
of the United States, etc., et al.,	)	
	)	
Defendants.	)	
and	)	Cons. No. 25294-G
-----	)	
MARY KANAME FURUYA, et al., etc.,	)	
	)	
Plaintiffs,	)	No. 25295
vs.	)	
	)	
WILLIAM P. ROGERS, as Attorney General	)	
of the United States, etc., et al.,	)	
	)	
Defendants.	)	

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true copy of excerpt of the original FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED PLAINTIFFS WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS UNITED STATES NATIONALS, made and filed in the above entitled cause on MAR 31 1959 and entered MAR 31 1959, with the name of Kenso Nakamori, a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California this 31 day of March, A. D. 1959.

C. W. CALBREATH,  
Clerk,

By Margaret P. Blair  
Deputy Clerk.



Nakamoto, Fred Noboru

Wayne M. Collins  
Mills Tower, 220 Bush Street  
San Francisco 4, California  
GARfield 1-5827  
Attorney for Plaintiffs.

ORIGINAL  
F I L E D  
MAY 27 1959

Clerk, U.S. Dist. Court  
San Francisco

IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TADAYASU ABO, et al., etc.,

Plaintiffs,

-vs-

WILLIAM P. ROGERS, as Attorney  
General of the United States, etc., et al.,

Defendants.

and

MARY KANAME FURUYA, et al., etc.,

Plaintiffs,

-vs-

WILLIAM P. ROGERS, as Attorney  
General of the United States, etc., et al.,

Defendants.

No. 25294

Cons.No. 25294-G

No. 25295

FINAL ORDER, JUDGMENT AND DECREE AS TO CERTAIN NAMED PLAINTIFFS  
AS TO WHOM THE DEFENDANTS HAVE WITHDRAWN ALL OFFERS OF PROOF

This cause (originally consisting of companion suits Nos. 25294-G and 25295-G which had been consolidated under No.25294-G) being submitted to this Court, sitting without a jury, for decision of the cause of certain individual parties-plaintiff hereinafter named, pursuant to the "DEFENDANTS' WITHDRAWAL OF OFFERS OF PROOF AS TO CERTAIN NAMED PLAINTIFFS AND CONSENT TO IMMEDIATE ACTION" filed herein and approved this date by this Court;



1 And it being conceded therein by counsel for certain  
2 defendants, namely the Attorney General of the United States,  
3 and those under his authority, that the evidence with respect  
4 to such named plaintiffs which the defendants have offered to  
5 produce is insufficient to overcome the presumption established  
6 by the decision of the United States Court of Appeals for the  
7 Ninth Circuit in this cause (McGrath v. Abo, 186 F. 2d 766),  
8 that the said plaintiffs' renunciations of citizenship were  
9 not their free and voluntary acts, and such concession being  
10 consistent with the Court's conclusion as to the effect of the  
11 applicable law in the circumstances; and formal findings of  
12 fact and conclusions of law having been waived;

13 And counsel for such parties-defendant having withdrawn  
14 any objection to the entry of a final order, judgment and  
15 decree, in accordance with the mandate of the Court of Appeals  
16 in this cause and having given their consent to immediate action  
17 by this Court in that regard as to the hereinafter specifically  
18 identified parties-plaintiff; and there being no just reason  
19 for delay;

20 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
21 Act of 1940 as amended (former Title 8 U.S.C. Sec. 903), which  
22 was by Sec. 405 of the Act of June 27, 1952, 66 Stat. 280,  
23 effective December 24, 1952, continued in force and effect for  
24 purposes of this cause, and pursuant to the provisions of such  
25 "DEFENDANTS' WITHDRAWAL OF OFFERS OF PROOF AS TO CERTAIN NAMED  
26 PLAINTIFFS AND CONSENT TO IMMEDIATE ACTION,"

27 It is ORDERED, ADJUDGED, AND DECREED as and for a final  
28 order, judgment and decree directed to be entered in this cause:

29 I

30 That the plaintiffs hereinafter identified and listed in  
31 the attached schedule of 2 pages containing 62 names, are  
32 and at all times have been natives, nationals and citizens of



1 the United States of America, and entitled to the rights and  
2 privileges of such nationality and citizenship, notwithstanding  
3 their purported applications for renunciation of United States  
4 nationality pursuant to Section 401(i) of the Nationality Act  
5 of 1940, as amended, their purported renunciations of United  
6 States nationality pursuant thereto and the approvals thereof  
7 given by the Attorney General, all of which occurred during the  
8 calendar years 1944 and 1945, and all of which are hereby  
9 declared to be and at all times to have been null, void and  
10 without legal effect upon the status and rights as nationals  
11 and citizens of the United States of any such plaintiffs whose  
12 names and birthdates are set forth on the attached schedule.

13 II

14 That no cost shall be taxed by the clerk to any party.

15 Done in open Court this 27th day of MAY, 1959.

16  
17 /s/ LOUIS E. GOODMAN

18 UNITED STATES DISTRICT JUDGE  
19  
20  
21

22 APPROVED AS TO FORM:

23 GEORGE COCHRAN DOUB, Assistant Attorney General  
24 ROBERT H. SCHNACKE, United States Attorney, and a Defendant  
25 ENOCH E. ELLISON, Attorney, Department of Justice  
26 OLLIE COLLINS, Attorney, Department of Justice

27 By /s/ Charles Elmer Collett

28 Assistant United States Attorney  
29 Attorneys for Defendants.  
30

31 NAME

DATE OF BIRTH

32 NAKAMOTO, Fred Noboru

1-1-18



UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,	(	
	)	
Plaintiffs,	(	
-vs-	)	No. 25294
	(	
WILLIAM P. ROGERS, as Attorney General	)	
of the United States, etc., et al.,	(	
	)	
Defendants.	(	
	)	
and	(	
-----	)	Cons. No. 25294-G
	(	
MARY KANAME FURUYA, et al., etc.,	)	
	(	
Plaintiffs,	)	
-vs-	(	No. 25295
	)	
WILLIAM P. ROGERS, as Attorney General	(	
of the United States, etc., et al.,	)	
	(	
Defendants.	)	
-----	(	

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true copy of excerpt of the original FINAL ORDER, JUDGMENT AND DECREE AS TO CERTAIN NAMED PLAINTIFFS AS TO WHOM THE DEFENDANTS HAVE WITHDRAWN ALL OFFERS OF PROOF made and filed in the above-entitled cause on MAY 27 1959 and entered MAY 27 1959, with the name of Fred Noboru Nakamoto a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California, this 4 day of June, A.D. 1959.

C. W. CALBREATH,  
Clerk

By Dore E. Frey  
Deputy Clerk.



Nakamoto, Hattenge

Wayne M. Collins  
Mills Tower, 220 Bush Street  
San Francisco 4, California  
GARfield 1-5827  
Attorney for Plaintiffs.

ORIGINAL  
FILED

MAY 27 1959

Clerk, U.S. Dist. Court  
San Francisco

IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TADAYASU ABO, et al., etc.,

Plaintiffs,

-vs-

WILLIAM P. ROGERS, as Attorney  
General of the United States, etc., et al.,

Defendants.

and

MARY KANAME FURUYA, et al., etc.,

Plaintiffs,

-vs-

WILLIAM P. ROGERS, as Attorney  
General of the United States, etc., et al.,

Defendants.

No. 25294

Cons.No. 25294-G

No. 25295

FINAL ORDER, JUDGMENT AND DECREE AS TO CERTAIN NAMED PLAINTIFFS

AS TO WHOM THE DEFENDANTS HAVE WITHDRAWN ALL OFFERS OF PROOF

This cause (originally consisting of companion suits Nos. 25294-G and 25295-G which had been consolidated under No.25294-G) being submitted to this Court, sitting without a jury, for decision of the cause of certain individual parties-plaintiff hereinafter named, pursuant to the "DEFENDANTS' WITHDRAWAL OF OFFERS OF PROOF AS TO CERTAIN NAMED PLAINTIFFS AND CONSENT TO IMMEDIATE ACTION" filed herein and approved this date by this Court;



1 And it being conceded therein by counsel for certain  
2 defendants, namely the Attorney General of the United States,  
3 and those under his authority, that the evidence with respect  
4 to such named plaintiffs which the defendants have offered to  
5 produce is insufficient to overcome the presumption established  
6 by the decision of the United States Court of Appeals for the  
7 Ninth Circuit in this cause (McGrath v. Abo, 186 F. 2d 766),  
8 that the said plaintiffs' renunciations of citizenship were  
9 not their free and voluntary acts, and such concession being  
10 consistent with the Court's conclusion as to the effect of the  
11 applicable law in the circumstances; and formal findings of  
12 fact and conclusions of law having been waived;

13 And counsel for such parties-defendant having withdrawn  
14 any objection to the entry of a final order, judgment and  
15 decree, in accordance with the mandate of the Court of Appeals  
16 in this cause and having given their consent to immediate action  
17 by this Court in that regard as to the hereinafter specifically  
18 identified parties-plaintiff; and there being no just reason  
19 for delay;

20 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
21 Act of 1940 as amended (former Title 8 U.S.C. Sec. 903), which  
22 was by Sec. 405 of the Act of June 27, 1952, 66 Stat. 280,  
23 effective December 24, 1952, continued in force and effect for  
24 purposes of this cause, and pursuant to the provisions of such  
25 "DEFENDANTS' WITHDRAWAL OF OFFERS OF PROOF AS TO CERTAIN NAMED  
26 PLAINTIFFS AND CONSENT TO IMMEDIATE ACTION,"

27 It is ORDERED, ADJUDGED, AND DECREED as and for a final  
28 order, judgment and decree directed to be entered in this cause:

29 I

30 That the plaintiffs hereinafter identified and listed in  
31 the attached schedule of 2 pages containing 62 names, are  
32 and at all times have been natives, nationals and citizens of



1 the United States of America, and entitled to the rights and  
2 privileges of such nationality and citizenship, notwithstanding  
3 their purported applications for renunciation of United States  
4 nationality pursuant to Section 401(i) of the Nationality Act  
5 of 1940, as amended, their purported renunciations of United  
6 States nationality pursuant thereto and the approvals thereof  
7 given by the Attorney General, all of which occurred during the  
8 calendar years 1944 and 1945, and all of which are hereby  
9 declared to be and at all times to have been null, void and  
10 without legal effect upon the status and rights as nationals  
11 and citizens of the United States of any such plaintiffs whose  
12 names and birthdates are set forth on the attached schedule.

13 II

14 That no cost shall be taxed by the clerk to any party.

15 Done in open Court this 27th day of MAY, 1959.

16  
17  
18 /s/ LOUIS E. GOODMAN

19 UNITED STATES DISTRICT JUDGE

20  
21 APPROVED AS TO FORM:

22 GEORGE COCHRAN DOUB, Assistant Attorney General  
23 ROBERT H. SCHNACKE, United States Attorney, and a Defendant  
24 ENOCH E. ELLISON, Attorney, Department of Justice  
25 OLLIE COLLINS, Attorney, Department of Justice

26 By /s/ Charles Elmer Collett

27  
28 Assistant United States Attorney  
29 Attorneys for Defendants.

30  
31 NAME

DATE OF BIRTH

32 NAKAMOTO, Hatsuye

2-5-19



UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,	(	
	)	
Plaintiffs,	(	
-vs-	)	No. 25294
	(	
WILLIAM P. ROGERS, as Attorney General	)	
of the United States, etc., et al.,	(	
	)	
Defendants.	(	
	)	
and	(	
-----	)	Cons. No. 25294-G
MARY KANAME FURUYA, et al., etc.,	(	
	)	
Plaintiffs,	(	
-vs-	)	No. 25295
	(	
WILLIAM P. ROGERS, as Attorney General	)	
of the United States, etc., et al.,	(	
	)	
Defendants.	(	
-----	)	

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court  
in and for the Northern District of California, do hereby certify that  
the annexed and foregoing is a true copy of excerpt of the original  
FINAL ORDER, JUDGMENT AND DECREE AS TO CERTAIN NAMED PLAINTIFFS AS  
TO WHOM THE DEFENDANTS HAVE WITHDRAWN ALL OFFERS OF PROOF made and  
filed in the above-entitled cause on MAY 27 1959  
and entered MAY 27 1959, with the name of  
Hatsuye Nakamoto  
a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and  
affixed the seal of the aforesaid Court at San Francisco, California,  
this 4 day of June, A.D. 1959.

C. W. CALBREATH,  
Clerk,

By Dore E. Krepper  
Deputy Clerk.



Nakamura, Asae

Wayne M. Collins  
Mills Tower, 220 Bush Street  
San Francisco 4, California  
GARfield 1-5827  
Attorney for Plaintiffs.

ORIGINAL  
F I L E D  
APR 13 1959  
Clerk, U.S. Dist. Court  
San Francisco

IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TADAYASU ABO, et al., etc.,  
Plaintiffs,  
-vs-  
WILLIAM P. ROGERS, as Attorney  
General of the United States, etc., et al.,  
Defendants.

No. 25294

and

Cons.No. 25294-G

MARY KANAME FURUYA, et al., etc.,  
Plaintiffs,

No. 25295

-vs-  
WILLIAM P. ROGERS, as Attorney  
General of the United States, etc., et al.,  
Defendants.

FINAL ORDER, JUDGMENT AND DECREE AS TO CERTAIN NAMED PLAINTIFFS  
AS TO WHOM THE DEFENDANTS HAVE WITHDRAWN ALL OFFERS OF PROOF

This cause (originally consisting of companion suits Nos. 25294-G and 25295-G which had been consolidated under No.25294-G) being submitted to this Court, sitting without a jury, for decision of the cause of certain individual parties-plaintiff hereinafter named, pursuant to the "DEFENDANTS' WITHDRAWAL OF OFFERS OF PROOF AS TO CERTAIN NAMED PLAINTIFFS AND CONSENT TO IMMEDIATE ACTION" filed herein and approved this date by this Court;



1 And it being conceded therein by counsel for certain  
2 defendants, namely the Attorney General of the United States,  
3 and those under his authority, that the evidence with respect  
4 to such named plaintiffs which the defendants have offered to  
5 produce is insufficient to overcome the presumption established  
6 by the decision of the United States Court of Appeals for the  
7 Ninth Circuit in this cause (McGrath v. Abo, 186 F. 2d 766),  
8 that the said plaintiffs' renunciations of citizenship were  
9 not their free and voluntary acts, and such concession being  
10 consistent with the Court's conclusion as to the effect of the  
11 applicable law in the circumstances; and formal findings of  
12 fact and conclusions of law having been waived;

13 And counsel for such parties-defendant having withdrawn  
14 any objection to the entry of a final order, judgment and  
15 decree, in accordance with the mandate of the Court of Appeals  
16 in this cause and having given their consent to immediate action  
17 by this Court in that regard as to the hereinafter specifically  
18 identified parties-plaintiff; and there being no just reason  
19 for delay;

20 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
21 Act of 1940 as amended (former Title 8 U.S.C. Sec. 903), which  
22 was by Sec. 405 of the Act of June 27, 1952, 66 Stat. 280,  
23 effective December 24, 1952, continued in force and effect for  
24 purposes of this cause, and pursuant to the provisions of such  
25 "DEFENDANTS' WITHDRAWAL OF OFFERS OF PROOF AS TO CERTAIN NAMED  
26 PLAINTIFFS AND CONSENT TO IMMEDIATE ACTION,"

27 It is ORDERED, ADJUDGED, AND DECREED as and for a final  
28 order, judgment and decree directed to be entered in this cause:

29 I

30 That the plaintiffs hereinafter identified and listed in  
31 the attached schedule of three pages containing 76 names, are  
32 and at all times have been natives, nationals and citizens of



1 the United States of America, and entitled to the rights and  
2 privileges of such nationality and citizenship, notwithstanding  
3 their purported applications for renunciation of United States  
4 nationality pursuant to Section 401(i) of the Nationality Act  
5 of 1940, as amended, their purported renunciations of United  
6 States nationality pursuant thereto and the approvals thereof  
7 given by the Attorney General, all of which occurred during the  
8 calendar years 1944 and 1945, and all of which are hereby  
9 declared to be and at all times to have been null, void and  
10 without legal effect upon the status and rights as nationals  
11 and citizens of the United States of any such plaintiffs whose  
12 names and birthdates are set forth on the attached schedule.

13 II

14 That no cost shall be taxed by the clerk to any party.

15 Done in open Court this 13 day of April, 1959.

16  
17 LOUIS E. GOODMAN

18 UNITED STATES DISTRICT JUDGE  
19  
20

21 APPROVED AS TO FORM:

22 GEORGE COCHRAN DOUB, Assistant Attorney General  
23 ROBERT H. SCHNACKE, United States Attorney, and a Defendant  
24 ENOCH E. ELLISON, Attorney, Department of Justice  
25 OLLIE COLLINS, Attorney, Department of Justice

26 By /s/ Charles Elmer Collett

27 Assistant United States Attorney

28 Attorneys for Defendants.  
29

30 NAME

31 DATE OF BIRTH

32 NAKAMURA, Asae

5-3-07



UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,	(	
	)	
Plaintiffs,	(	
-vs-	)	No. 25294
	(	
WILLIAM P. ROGERS, as Attorney General	)	
of the United States, etc., et al.,	(	
	)	
Defendants.	(	
	)	
and	(	
-----	)	Cons. No. 25294-G
	(	
MARY KANAME FURUYA, et al., etc.,	)	
	(	
Plaintiffs,	)	
-vs-	(	No. 25295
	)	
WILLIAM P. ROGERS, as Attorney General	(	
of the United States, etc., et al.,	)	
	(	
Defendants.	)	
-----	(	

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court  
in and for the Northern District of California, do hereby certify that  
the annexed and foregoing is a true copy of excerpt of the original  
FINAL ORDER, JUDGMENT AND DECREE AS TO CERTAIN NAMED PLAINTIFFS AS  
TO WHOM THE DEFENDANTS HAVE WITHDRAWN ALL OFFERS OF PROOF made and  
filed in the above-entitled cause on APR 13 1959  
and entered APR 13 1959, with the name of  
Asae Nakamura  
a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and  
affixed the seal of the aforesaid Court at San Francisco, California,  
this 13 day of April, A.D. 1959.

C. W. CALBREATH,  
Clerk,

By Margaret Blair  
Deputy Clerk.



1 Wayne M. Collins  
2 Attorney at Law  
3 Mills Tower, 220 Bush Street  
4 San Francisco 4, California  
5 GARfield 1-5827  
6 Attorney for Plaintiffs

ORIGINAL  
FILED  
FEB - 9 1959  
Clerk, U.S. Dist. Court  
San Francisco

7 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9	- - - - - )	
10	TADAYASU ABO, et al., etc., ) Plaintiffs, )	
11	-vs- )	No. 25294
12	WILLIAM P. ROGERS, as Attorney General ) of the United States, etc., et al., ) Defendants. )	
13	and - - - - - )	Cons. No. 25294-G
14	MARY KANAME FURUYA, et al., etc., ) Plaintiffs, )	
15	-vs- )	No. 25295
16	WILLIAM P. ROGERS, as Attorney General ) of the United States, etc., et al., ) Defendants. )	
17	- - - - - )	
18		

19 FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
20 PARTIES-PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS  
21 UNITED STATES NATIONALS

22 This cause (originally consisting of companion suits Nos.  
23 25294-G and 25295-G, which have been consolidated under No. 25294-  
24 G) being submitted to this Court, sitting without a jury, for  
25 decision on the merits of the individual causes of certain parties-  
26 plaintiff, hereinafter named, pursuant to a written "Stipulation Re  
27 Judgment as to Certain Named Parties-Plaintiff Who Have Been Docu-  
28 mented or Recognized as United States Nationals" entered into  
29 between the parties hereto and filed herein this date; and it being  
30 stipulated that, subsequent to their purported renunciations of  
31 United States nationality pursuant to the provisions of Section  
32 401(i) of the Nationality Act of 1940, as amended (former Title  
8 U.S.C., Section 801 (i) ), during the calendar years 1944 and  
1945, said plaintiffs have been documented or recognized as United  
States nationals upon their applications duly made either to the  
Department of State or to the United States Immigration and  
Naturalization Service, and it being stipulated that such purported  
acts of renunciation occurred while such parties-plaintiff were  
resident at the Segregation Center of the War Relocation Authority  
at Tule Lake, Newell, California; and the attorneys for the  
defendant Attorney General and those acting under his authority  
having withdrawn all offers of proof heretofore made herein with  
respect to such parties-defendant and conceding that they have



1 made out a prima facie case for relief under the ruling of the  
2 United States Court of Appeals for the Ninth Circuit in this cause  
3 (McGrath v. Abo, 186 F. 2d 766), such concession being consistent  
4 with the Court's conclusions as to the effect of applicable law in  
5 the circumstances; and formal findings of fact and conclusions of  
6 law herein being waived; and the Court being advised that counsel  
7 for such defendants will offer no objection to the entry of a final  
8 order, judgment and decree on the merits of the causes herein, in  
9 favor of the hereinafter specifically identified parties-plaintiff;  
10 and there being no just reason for delay;

11  
12 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
13 Act of 1940, as amended (former Title 8, U.S.C., Section 903)  
14 which was, by Section 405 of the Act of June 27, 1952, 66 Stat.  
15 280, effective December 24, 1952, continued in force and effect  
16 for the purpose of this cause, and pursuant to the terms of such  
17 stipulation,

18 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
19 judgment and decree directed to be entered in this cause:

20 I.

21 That the plaintiffs hereinafter identified are and at all  
22 times have been, natives, nationals and citizens of the United  
23 States of America, and entitled to the rights and privileges of  
24 such nationality and citizenship, notwithstanding their purported  
25 applications for renunciation of United States nationality under  
26 Section 401 (i) of the Nationality Act of 1940, as amended, their  
27 purported renunciations of United States nationality pursuant  
28 thereto and the approvals thereof given by the Attorney General,  
29 all of which occurred during the calendar years 1944 and 1945,  
30 A.D., and all of which are hereby declared to be, and at all times  
31 to have been, null, void and without legal effect upon the status  
32 and rights as nationals and citizens of the United States of any  
such plaintiffs, whose names and birthdates are as follows:

NAME	BIRTHDATE
<u>NAKAMURA, Isami</u>	<u>6-15-17</u>

II.

That no costs shall be taxed by the Clerk to any party.

Done in open Court this 9 day of February 1959.

/s/ LOUIS E. GOODMAN  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

GEORGE COCHRAN DOUB, Assistant Attorney General  
ROBERT H. SCHNACKE, United States Attorney, and a Defendant  
ENOCH E. ELLISON, Attorney, Department of Justice  
PAUL J. GRUMBLY, Attorney, Department of Justice.

By: /s/ Charles Elmer Collett  
Assistant United States Attorney  
Attorneys for Defendants.



UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,	)	
Plaintiffs,	)	
vs.	)	
WILLIAM P. ROGERS, as Attorney General	)	No. 25294
of the United States, etc., et al.,	)	
Defendants.	)	
and	)	Cons. No. 25294-G
-----		
MARY KANAME FURUYA, et al., etc.,	)	
Plaintiffs,	)	No. 25295
vs.	)	
WILLIAM P. ROGERS, as Attorney General	)	
of the United States, etc., et al.,	)	
Defendants.	)	

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true copy of excerpt of the original FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED PLAINTIFFS WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS UNITED STATES NATIONALS, made and filed in the above entitled cause on FEB - 9 1959 and entered FEB - 9 1959, with the name of Isami Nakamura, a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California this 9 day of February, A. D. 1959.

C. W. CALBREATH,  
Clerk,

By

Dore E. Knepper  
Deputy Clerk.



*Nakamura, John  
aka Yoshinobu Nakamura*

Wayne M. Collins  
Mills Tower  
220 Bush Street  
San Francisco 4, Calif.  
Garfield 1-5827  
Attorney for Plaintiffs.

ORIGINAL  
FILED

DEC - 1 1958

Clerk, U.S. Dist. Court  
San Francisco

IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TADAYASU ABO, et al., etc.,  
Plaintiffs,

-vs-

WILLIAM P. ROGERS, as Attorney  
General of the United States, etc., et al.,  
Defendants.

No. 25294

and

Cons. No. 25294-G

MARY KANAME FURUYA, et al., etc.,  
Plaintiffs,

-vs-

WILLIAM P. ROGERS, as Attorney  
General of the United States, etc., et al.,  
Defendants.

No. 25295

FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED

PLAINTIFFS WHO HAVE SUBMITTED AFFIDAVITS IN LIEU OF ORAL TESTIMONY

This cause (originally consisting of companion suits Nos. 25294 and 25295 which had been consolidated under No. 25294-G) being submitted to this Court, sitting without a jury, for decision of the causes of certain individual parties-plaintiff hereinafter named, pursuant to a written "Stipulation That Certain Plaintiffs May Introduce Affidavits In Lieu Of Oral Testimony And That Entry of Final Judgments Against Certain Defendants Will Not Be Opposed In Such Cases" entered into between the parties hereto and filed herein this date together with certain affidavits which are hereby accepted in lieu of the oral testimony of affiants in accordance with the provisions of such stipulation;

And it being conceded by counsel for certain defendants, namely the Attorney General of the United States, and those under his authority, that notwithstanding the proofs heretofore made and offered in this cause, the representations set forth in such affidavits, in the light of the decisions of the United States Court of Appeals for the Ninth Circuit in the cases of Acheson v. Murakami 176 F. 2d 953 and McGrath v. Abo 186 F 2d 766, among others, remove any efficacious defense to the suits of such parties-plaintiff, and such concession being consistent with the Court's conclusion as to the effect of applicable law in the



1 circumstances; and formal findings of fact and conclusions of  
2 law having been waived;

3 And the Court having been advised that counsel for such  
4 parties-defendant will offer no objection to the entry of a final  
5 order, judgment and decree on the merits of the causes herein,  
6 in favor of the hereinafter specifically identified parties-  
7 plaintiff; and there being no just reason for delay;

8 NOW THEREFORE, pursuant to Section 503 of the Nationality  
9 Act of 1940 as amended, (former Title 8 USC Sec. 903), which was  
10 by Section 405 of the Act of June 27, 1952, 66 Stat. 280 effec-  
11 tive December 24, 1952, continued in force and effect for pur-  
12 poses of this cause, and pursuant to the terms of such stipulation;

13 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
14 judgment and decree directed to be entered in this cause;

15 I.

16 That the plaintiffs hereinafter identified are and at all  
17 times have been, natives, nationals and citizens of the United  
18 States of America, and entitled to the rights and privileges of  
19 such nationality and citizenship, notwithstanding their purported  
20 applications for renunciation of United States nationality pur-  
21 suant to Section 401 (i) of the Nationality Act of 1940, as  
22 amended, their purported renunciations of United States National-  
23 ity pursuant thereto and the approvals thereof given by the  
24 Attorney General, all of which occurred during the calendar years  
25 1944 and 1945, and all of which are hereby declared to be, and at  
26 all times to have been, null, void, and without legal effect upon  
27 the status and rights as nationals and citizens of the United  
28 States of any such plaintiffs, whose names and birthdates are as  
29 follows:

NAME	BIRTHDATE
NAKAMURA, John, aka Toshimitsu Nakashima	2-6-23

30 II.

31 That no costs shall be taxed by the Clerk to any party.

32 Done in open Court this 1st day of ~~November~~ 1958  
December

/s/ LOUIS E. GOODMAN  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

GEORGE COCHRAN DOUB, Assistant Attorney General.  
ROBERT H. SCHNACKE, United States Attorney, and a Defendant.  
ENOCH E. ELLISON, Attorney, Department of Justice.  
PAUL J. GRUMBLY, Attorney, Department of Justice.

By: /s/ Charles Elmer Collett

Assistant United States Attorney  
Attorneys for Defendants.



TADAYASU ABO, et al., etc.,  
Plaintiffs,  
vs.  
WILLIAM P. ROGERS, as Attorney General  
of the United States, etc., et al.,  
Defendants,  
and  
\_\_\_\_\_  
MARY KANAME FURUYA, et al., etc.,  
Plaintiffs,  
vs.  
WILLIAM P. ROGERS, as Attorney General  
of the United States, etc., et al.,  
Defendants.

Cons. No. 25294-G

No. 25295

## By

Deputy Clerk.



*Nakamura, John Masatsugu*

Wayne M. Collins  
Attorney at Law  
Mills Tower, 220 Bush Street  
San Francisco 4, California  
GARfield 1-5827  
Attorney for Plaintiffs

ORIGINAL  
FILED  
SEP 30 1958  
Clerk, U.S. Dist. Court  
San Francisco

IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TADAYASU ABO, et al., etc.,  
Plaintiffs,

-vs-

No. 25294

WILLIAM P. ROGERS, as Attorney General  
of the United States, etc., et al.,  
Defendants.

and

Cons. No. 25294-G

MARY KANAME FURUYA, et al., etc.,  
Plaintiffs,

-vs-

No. 25295

WILLIAM P. ROGERS, as Attorney General  
of the United States, etc., et al.,  
Defendants.

FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
PARTIES-PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS  
UNITED STATES NATIONALS

This cause (originally consisting of companion suits Nos. 25294-G and 25295-G, which have been consolidated under No. 25294-G) being submitted to this Court, sitting without a jury, for decision on the merits of the individual causes of certain parties-plaintiff, hereinafter named, pursuant to a written "Stipulation Re Judgment as to Certain Named Parties-Plaintiff Who Have Been Documented or Recognized as United States Nationals" entered into between the parties hereto and filed herein this date; and it being stipulated that, subsequent to their purported renunciations of United States nationality pursuant to the provisions of Section 401(i) of the Nationality Act of 1940, as amended (former Title 8 U.S.C., Section 801 (i) ), during the calendar years 1944 and 1945, said plaintiffs have been documented or recognized as United States nationals upon their applications duly made either to the Department of State or to the United States Immigration and Naturalization Service, and it being stipulated that such purported acts of renunciation occurred while such parties-plaintiff were resident at the Segregation Center of the War Relocation Authority at Tule Lake, Newell, California; and the attorneys for the defendant Attorney General and those acting under his authority having withdrawn all offers of proof heretofore made herein with respect to such parties-defendant and conceding that they have



1 made out a prima facie case for relief under the ruling of the  
2 United States Court of Appeals for the Ninth Circuit in this cause  
3 (McGrath v. Abo, 186 F. 2d 766), such concession being consistent  
4 with the Court's conclusions as to the effect of applicable law in  
5 the circumstances; and formal findings of fact and conclusions of  
6 law herein being waived; and the Court being advised that counsel  
7 for such defendants will offer no objection to the entry of a final  
8 order, judgment and decree on the merits of the causes herein, in  
9 favor of the hereinafter specifically identified parties-plaintiff;  
10 and there being no just reason for delay;

11 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
12 Act of 1940, as amended (former Title 8, U.S.C., Section 903)  
13 which was, by Section 405 of the Act of June 27, 1952, 66 Stat.  
14 280, effective December 24, 1952, continued in force and effect  
15 for the purpose of this cause, and pursuant to the terms of such  
16 stipulation.

17 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
18 judgment and decree directed to be entered in this cause:

19 I.

20 That the plaintiffs hereinafter identified are and at all  
21 times have been, natives, nationals and citizens of the United  
22 States of America, and entitled to the rights and privileges of  
23 such nationality and citizenship, notwithstanding their purported  
24 applications for renunciation of United States nationality under  
25 Section 401 (1) of the Nationality Act of 1940, as amended, their  
26 purported renunciations of United States nationality pursuant  
27 thereto and the approvals thereof given by the Attorney General,  
28 all of which occurred during the calendar years 1944 and 1945,  
29 A.D., and all of which are hereby declared to be, and at all times  
30 to have been, null, void and without legal effect upon the status  
31 and rights as nationals and citizens of the United States of any  
32 such plaintiffs, whose names and birthdates are as follows:

NAME	BIRTHDATE
NAKAMURA, John Masatsugu	1-3-10

II.

That no costs shall be taxed by the Clerk to any party.

Done in open Court this 29 day of September, 1958.

/s/ LOUIS E. GOODMAN  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

GEORGE COCHRAN DOUB, Assistant Attorney General  
ROBERT H. SCHNACKE, United States Attorney, and a Defendant  
ENOCH E. ELLISON, Attorney, Department of Justice  
PAUL J. GRUMBLY, Attorney, Department of Justice.

By: /s/ Charles Elmer Collett  
Assistant United States Attorney  
Attorneys for Defendants.



UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,	Plaintiffs,	No. 25294
vs.		
WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,	Defendants,	Cons. No. 25294-G
and		
MARY KANAME FURUYA, et al., etc.,	Plaintiffs,	No. 25295
vs.		
WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,	Defendants.	

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true copy of excerpt of the original FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED PLAINTIFFS WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS UNITED STATES NATIONALS, made and filed in the above entitled cause on SEP 29 1958 and entered SEP 30 1958, with the name of John Masatsugu Nakamura, a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California this 30 day of September, A. D. 1958.

C. W. CALBREATH,  
Clerk,

By

Dore E. Luepker  
Deputy Clerk.



NAKAMURA, Kazuto

Sumiyoshi-ku, Kitajima-cho  
Yamato Gawa Shiei Jutaku  
House #64, Osaka  
Honshu, Japan

\$300.00

M.R.

12/4/51



*Nakamura Kazuto*

1 Wayne M. Collins  
2 1701 Mills Tower  
3 San Francisco 4, Calif.  
4 GARfield 1-1218  
5 Attorney for Plaintiffs

ORIGINAL  
FILED  
May 29, 1952  
Clerk, U.S. Dist. Court  
San Francisco

8 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10  
11 TADAYASU ABO, et al., etc., )  
12 )  
13 Plaintiffs, )  
14 -vs- ) No. 25294  
15 JAMES P. McGRANERY, as Attorney General ) Cons. No. 25294  
16 of the United States, etc., et al., )  
17 Defendants. )

18 ORDER, JUDGMENT AND DECREE EXECUTING MANDATE  
19 OF THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

20 In compliance with the Mandate of the United States Court of  
21 Appeals for the Ninth Circuit entered in this cause on October 17,  
22 1951,

23 (A) It is Ordered that the Final Order, Judgment and Decree  
24 of this Court entered in this cause on April 12, 1949, and modified  
25 by an order of this Court entered in this cause on May 2, 1949,  
26 insofar as it pertained to the following named defendants sued in  
27 their representative capacities herein, to-wit, Dean Acheson, as  
28 Secretary of State, John W. Snyder, as the Secretary of the Treas-  
29 ury, Julius A. Krug, as the Secretary of the Interior, Dillon S.  
30 Myer, as Director, War Relocation Authority, and Raymond R. Best,  
31 as Project Director, Tule Lake Center, be and the same hereby is  
32 set aside.

(B) It is Further Ordered that the Final Order, Judgment and  
Decree of this Court, entered in this cause on April 12, 1949,  
and modified by an Order of this Court entered in this cause on  
May 2, 1949, be, and the same hereby is amended to read as follows:

"IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
judgment and decree against the defendants herein, excepting those



1 specified in paragraph (A) hereinabove, and in favor of each and  
2 all of the One Thousand Four (1,004) specifically named plaintiffs  
3 listed and set forth in the following thirty-two (32) pages and  
4 of whom 985 are plaintiffs in proceeding No. 25294 herein and of  
whom 19, indicated by an asterisk following their respective names,  
are plaintiffs in proceeding No. 25295 herein, consolidated there-  
with, to-wit:-

5 NAME  
6 NAKAMURA, Kazuto

BIRTHDATE  
6/5/24

as follows:

7 1. The application for renunciation of United States nation-  
8 ality and citizenship heretofore executed by each of the plaintiffs  
9 hereinabove specifically named in paragraph (B) hereof in 1944  
10 or 1945, the renunciation of his or her United States nationality  
11 and citizenship and the order of the defendant Attorney General  
12 approving each such application and renunciation are, and each of  
13 said things is, wholly illegal, contrary to law and public policy,  
14 null and void ab initio, and they are, and each of said things is,  
15 hereby cancelled and set aside.

16 2. Each of the plaintiffs hereinabove specifically named in  
17 paragraph (B) hereof at birth and ever since then has been and now  
18 is a native born national and citizen of the United States of  
19 America and domiciled therein and each is entitled to the full  
20 and complete exercise and enjoyment of all his or her rights,  
21 privileges, liberty and immunities of United States nationality  
22 and citizenship.

23 3. The remaining defendants, other than those hereinabove  
24 specifically named in paragraph (A) hereof, are, and each of them  
25 is, and their agents, servants, employees and representatives are,  
26 and each of them is, hereby permanently enjoined from detaining,  
27 imprisoning or interning the plaintiffs whose names are listed in  
28 paragraph (B) hereof or any of them and from restraining them  
29 or any of them of liberty and from removing them or any of them  
30 to Japan or elsewhere and from interfering with their freedom of  
31 movement within the United States and right of access to their  
32 homes in the United States from abroad and from interfering with  
their full and complete exercise and enjoyment of each and all  
of their rights, privileges and immunities of United States  
nationality and citizenship."

33 (C) It is Further Ordered that as to the Plaintiffs in this  
34 cause excepting those hereinabove specifically listed by name  
35 in paragraph (B) hereof, the Order, Judgment and Decree of this  
36 Court entered on April 12, 1949, hereby is set aside and that, as  
37 to such remaining plaintiffs in this cause, further proceedings  
38 be had in this cause in accordance with the said Mandate of the  
39 said United States Court of Appeals entered in this cause on  
40 October 17, 1951.

41 Done in Open Court this 29th day of May, 1952.

42 LOUIS E. GOODMAN,  
43 UNITED STATES DISTRICT JUDGE

44 Approved as to form:  
45 (S) Edgar R. Bonsall  
46 Asst. U.S. Atty.



**United States District Court**  
**For the Northern District of California, Southern Division**

TADAYASU ABO, et al., etc.,

*Plaintiffs,*

vs.

JAMES P. McGRANERY, as Attorney General of  
the United States, etc., et al.,

*Defendants.*

No. 25294

Cons. No. 25294

**CERTIFICATE OF CLERK.**

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true and full copy of the original ORDER, JUDGMENT AND DECREE EXECUTING MANDATE OF THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT made and filed in the above-entitled cause on May 29, 1952, and entered June 2, 1952, with the exception of the listing of the names of the plaintiffs in paragraph (B) thereof other than.....

.....NAKAMURA, Kazuto.....  
now remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California, this 11th day of June, A. D. 1952.

C. W. CALBREATH,  
Clerk,

By

Margaret Blair  
Deputy Clerk.



*Nakamura, Masao  
Richard*

1 Wayne M. Collins  
2 Attorney at Law  
3 Mills Tower, 220 Bush Street  
4 San Francisco 4, California  
5 GARfield 1-5827  
6 Attorney for Plaintiffs

ORIGINAL  
FILED  
SEP 30 1958  
Clerk, U.S. Dist. Court  
San Francisco

7 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9	-----	}	
10	TADAYASU ABO, et al., etc.,		
11	-vs-		No. 25294
12	WILLIAM P. ROGERS, as Attorney General		
13	of the United States, etc., et al.,		
14	Defendants.		
15	and		Cons. No. 25294-G
16	-----		
17	MARY KANAME FURUYA, et al., etc.,		
18	-vs-		No. 25295
19	WILLIAM P. ROGERS, as Attorney General		
20	of the United States, etc., et al.,		
21	Defendants.		
22	-----		

23 FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
24 PARTIES-PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS  
25 UNITED STATES NATIONALS

26 This cause (originally consisting of companion suits Nos.  
27 25294-G and 25295-G, which have been consolidated under No. 25294-  
28 G) being submitted to this Court, sitting without a jury, for  
29 decision on the merits of the individual causes of certain parties-  
30 plaintiff, hereinafter named, pursuant to a written "Stipulation Re  
31 Judgment as to Certain Named Parties-Plaintiff Who Have Been Docu-  
32 mented or Recognized as United States Nationals" entered into  
between the parties hereto and filed herein this date; and it being  
stipulated that, subsequent to their purported renunciations of  
United States nationality pursuant to the provisions of Section  
401(i) of the Nationality Act of 1940, as amended (former Title  
8 U.S.C., Section 801 (i) ), during the calendar years 1944 and  
1945, said plaintiffs have been documented or recognized as United  
States nationals upon their applications duly made either to the  
Department of State or to the United States Immigration and  
Naturalization Service, and it being stipulated that such purported  
acts of renunciation occurred while such parties-plaintiff were  
resident at the Segregation Center of the War Relocation Authority  
at Tule Lake, Newell, California; and the attorneys for the  
defendant Attorney General and those acting under his authority  
having withdrawn all offers of proof heretofore made herein with  
respect to such parties-defendant and conceding that they have



1 made out a prima facie case for relief under the ruling of the  
2 United States Court of Appeals for the Ninth Circuit in this cause  
3 (McGrath v. Abo, 186 F. 2d 766), such concession being consistent  
4 with the Court's conclusions as to the effect of applicable law in  
5 the circumstances; and formal findings of fact and conclusions of  
6 law herein being waived; and the Court being advised that counsel  
7 for such defendants will offer no objection to the entry of a final  
8 order, judgment and decree on the merits of the causes herein, in  
9 favor of the hereinafter specifically identified parties-plaintiff;  
10 and there being no just reason for delay;

11 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
12 Act of 1940, as amended (former Title 8, U.S.C., Section 903)  
13 which was, by Section 405 of the Act of June 27, 1952, 66 Stat.  
14 280, effective December 24, 1952, continued in force and effect  
15 for the purpose of this cause, and pursuant to the terms of such  
16 stipulation.

17 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
18 judgment and decree directed to be entered in this cause:

19 I.

20 That the plaintiffs hereinafter identified are and at all  
21 times have been, natives, nationals and citizens of the United  
22 States of America, and entitled to the rights and privileges of  
23 such nationality and citizenship, notwithstanding their purported  
24 applications for renunciation of United States nationality under  
25 Section 401 (i) of the Nationality Act of 1940, as amended, their  
26 purported renunciations of United States nationality pursuant  
27 thereto and the approvals thereof given by the Attorney General,  
28 all of which occurred during the calendar years 1944 and 1945,  
29 A.D., and all of which are hereby declared to be, and at all times  
30 to have been, null, void and without legal effect upon the status  
31 and rights as nationals and citizens of the United States of any  
32 such plaintiffs, whose names and birthdates are as follows:

NAME	BIRTHDATE
NAKAMURA, Masao Richard	3-18-13

II.

That no costs shall be taxed by the Clerk to any party.

Done in open Court this 29 day of September, 1958.

/s/ LOUIS E. GOODMAN  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

GEORGE COCHRAN DOUB, Assistant Attorney General  
ROBERT H. SCHNACKE, United States Attorney, and a Defendant  
ENOCH E. ELLISON, Attorney, Department of Justice  
PAUL J. GRUMBLY, Attorney, Department of Justice.

By: /s/ Charles Elmer Collett  
Assistant United States Attorney  
Attorneys for Defendants.



UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,	Plaintiffs,	}	No. 25294
vs.			
WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,	Defendants,	}	Cons. No. 25294-G
and			
MARY KANAME FURUYA, et al., etc.,	Plaintiffs,	}	No. 25295
vs.			
WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,	Defendants.	}	

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true copy of excerpt of the original FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED PLAINTIFFS WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS UNITED STATES NATIONALS, made and filed in the above entitled cause on SEP 29 1958 and entered SEP 30 1958, with the name of Masao Richard Nakamura, a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California this 30 day of September, A. D. 1958.

C. W. CALBREATH,  
Clerk,

By

Dave E. Aneuppen  
Deputy Clerk.



Nakamura, Satoshi

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Wayne M. Collins  
Mills Tower, 220 Bush Street  
San Francisco 4, California  
GARfield 1-5827  
Attorney for Plaintiffs.

ORIGINAL  
FILED  
MAY 27 1959  
Clerk, U.S. Dist. Court  
San Francisco

IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TADAYASU ABO, et al., etc.,  
Plaintiffs,  
-vs-  
WILLIAM P. ROGERS, as Attorney  
General of the United States, etc., et al.,  
Defendants.  
and  
-----  
MARY KANAME FURUYA, et al., etc.,  
Plaintiffs,  
-vs-  
WILLIAM P. ROGERS, as Attorney  
General of the United States, etc., et al.,  
Defendants.  
-----

No. 25294  
Cons.No. 25294-G  
No. 25295

FINAL ORDER, JUDGMENT AND DECREE AS TO CERTAIN NAMED PLAINTIFFS  
AS TO WHOM THE DEFENDANTS HAVE WITHDRAWN ALL OFFERS OF PROOF

This cause (originally consisting of companion suits Nos.  
25294-G and 25295-G which had been consolidated under No.25294-G)  
being submitted to this Court, sitting without a jury, for deci-  
sion of the cause of certain individual parties-plaintiff here-  
inafter named, pursuant to the "DEFENDANTS' WITHDRAWAL OF OFFERS  
OF PROOF AS TO CERTAIN NAMED PLAINTIFFS AND CONSENT TO IMMEDIATE  
ACTION" filed herein and approved this date by this Court;



1 And it being conceded therein by counsel for certain  
2 defendants, namely the Attorney General of the United States,  
3 and those under his authority, that the evidence with respect  
4 to such named plaintiffs which the defendants have offered to  
5 produce is insufficient to overcome the presumption established  
6 by the decision of the United States Court of Appeals for the  
7 Ninth Circuit in this cause (McGrath v. Abo, 186 F. 2d 766),  
8 that the said plaintiffs' renunciations of citizenship were  
9 not their free and voluntary acts, and such concession being  
10 consistent with the Court's conclusion as to the effect of the  
11 applicable law in the circumstances; and formal findings of  
12 fact and conclusions of law having been waived;

13 And counsel for such parties-defendant having withdrawn  
14 any objection to the entry of a final order, judgment and  
15 decree, in accordance with the mandate of the Court of Appeals  
16 in this cause and having given their consent to immediate action  
17 by this Court in that regard as to the hereinafter specifically  
18 identified parties-plaintiff; and there being no just reason  
19 for delay;

20 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
21 Act of 1940 as amended (former Title 8 U.S.C. Sec. 903), which  
22 was by Sec. 405 of the Act of June 27, 1952, 66 Stat. 280,  
23 effective December 24, 1952, continued in force and effect for  
24 purposes of this cause, and pursuant to the provisions of such  
25 "DEFENDANTS' WITHDRAWAL OF OFFERS OF PROOF AS TO CERTAIN NAMED  
26 PLAINTIFFS AND CONSENT TO IMMEDIATE ACTION,"

27 It is ORDERED, ADJUDGED, AND DECREED as and for a final  
28 order, judgment and decree directed to be entered in this cause:

29 I

30 That the plaintiffs hereinafter identified and listed in  
31 the attached schedule of 2 pages containing 62 names, are  
32 and at all times have been natives, nationals and citizens of



1 the United States of America, and entitled to the rights and  
2 privileges of such nationality and citizenship, notwithstanding  
3 their purported applications for renunciation of United States  
4 nationality pursuant to Section 401(i) of the Nationality Act  
5 of 1940, as amended, their purported renunciations of United  
6 States nationality pursuant thereto and the approvals thereof  
7 given by the Attorney General, all of which occurred during the  
8 calendar years 1944 and 1945, and all of which are hereby  
9 declared to be and at all times to have been null, void and  
10 without legal effect upon the status and rights as nationals  
11 and citizens of the United States of any such plaintiffs whose  
12 names and birthdates are set forth on the attached schedule.

13 II

14 That no cost shall be taxed by the clerk to any party.

15 Done in open Court this 27th day of MAY, 1959.

16  
17 /s/ LOUIS E. GOODMAN

18 UNITED STATES DISTRICT JUDGE  
19  
20

21 APPROVED AS TO FORM:

22 GEORGE COCHRAN DOUB, Assistant Attorney General  
23 ROBERT H. SCHNACKE, United States Attorney, and a Defendant  
24 ENOCH E. ELLISON, Attorney, Department of Justice  
25 OLLIE COLLINS, Attorney, Department of Justice

26 By /s/ Charles Elmer Collett

27 Assistant United States Attorney

28 Attorneys for Defendants.  
29

30 NAME

31 DATE OF BIRTH

32 NAKAMURA, Satoshi

6-7-12



UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,	(	
	)	
Plaintiffs,	(	
-vs-	)	No. 25294
	(	
WILLIAM P. ROGERS, as Attorney General	)	
of the United States, etc., et al.,	(	
	)	
Defendants.	(	
	)	
and	(	
-----	)	Cons. No. 25294-G
	(	
MARY KANAME FURUYA, et al., etc.,	)	
	(	
Plaintiffs,	)	
-vs-	(	No. 25295
	)	
WILLIAM P. ROGERS, as Attorney General	(	
of the United States, etc., et al.,	)	
	(	
Defendants.	)	
-----	(	

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court  
in and for the Northern District of California, do hereby certify that  
the annexed and foregoing is a true copy of excerpt of the original  
FINAL ORDER, JUDGMENT AND DECREE AS TO CERTAIN NAMED PLAINTIFFS AS  
TO WHOM THE DEFENDANTS HAVE WITHDRAWN ALL OFFERS OF PROOF made and  
filed in the above-entitled cause on MAY 27 1959  
and entered MAY 27 1959, with the name of  
Satoshi Nakamura  
a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and  
affixed the seal of the aforesaid Court at San Francisco, California,  
this 4 day of June, A.D. 1959.

C. W. CALBREATH,  
Clerk,

By Dore E. Knepper  
Deputy Clerk



Nakamura, Isugio

Wayne M. Collins  
Attorney at Law  
Mills Tower, 220 Bush Street  
San Francisco 4, California  
GARfield 1-5827  
Attorney for Plaintiffs

ORIGINAL  
FILED  
SEP 30 1958  
Clerk, U.S. Dist. Court  
San Francisco

IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TADAYASU ABO, et al., etc.,  
Plaintiffs,

-vs-

WILLIAM P. ROGERS, as Attorney General  
of the United States, etc., et al.,  
Defendants.

and

MARY KANAME FURUYA, et al., etc.,  
Plaintiffs,

-vs-

WILLIAM P. ROGERS, as Attorney General  
of the United States, etc., et al.,  
Defendants.

No. 25294

Cons. No. 25294-G

No. 25295

FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
PARTIES-PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS  
UNITED STATES NATIONALS

This cause (originally consisting of companion suits Nos. 25294-G and 25295-G, which have been consolidated under No. 25294-G) being submitted to this Court, sitting without a jury, for decision on the merits of the individual causes of certain parties-plaintiff, hereinafter named, pursuant to a written "Stipulation Re Judgment as to Certain Named Parties-Plaintiff Who Have Been Documented or Recognized as United States Nationals" entered into between the parties hereto and filed herein this date; and it being stipulated that, subsequent to their purported renunciations of United States nationality pursuant to the provisions of Section 401(i) of the Nationality Act of 1940, as amended (former Title 8 U.S.C., Section 801 (i) ), during the calendar years 1944 and 1945, said plaintiffs have been documented or recognized as United States nationals upon their applications duly made either to the Department of State or to the United States Immigration and Naturalization Service, and it being stipulated that such purported acts of renunciation occurred while such parties-plaintiff were resident at the Segregation Center of the War Relocation Authority at Tule Lake, Newell, California; and the attorneys for the defendant Attorney General and those acting under his authority having withdrawn all offers of proof heretofore made herein with respect to such parties-defendant and conceding that they have



1 made out a prima facie case for relief under the ruling of the  
2 United States Court of Appeals for the Ninth Circuit in this cause  
3 (McGrath v. Abo, 186 F. 2d 766), such concession being consistent  
4 with the Court's conclusions as to the effect of applicable law in  
5 the circumstances; and formal findings of fact and conclusions of  
6 law herein being waived; and the Court being advised that counsel  
7 for such defendants will offer no objection to the entry of a final  
8 order, judgment and decree on the merits of the causes herein, in  
9 favor of the hereinafter specifically identified parties-plaintiff;  
10 and there being no just reason for delay;

11 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
12 Act of 1940, as amended (former Title 8, U.S.C., Section 903)  
13 which was, by Section 405 of the Act of June 27, 1952, 66 Stat.  
14 280, effective December 24, 1952, continued in force and effect  
15 for the purpose of this cause, and pursuant to the terms of such  
16 stipulation.

17 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
18 judgment and decree directed to be entered in this cause:

19 I.

20 That the plaintiffs hereinafter identified are and at all  
21 times have been, natives, nationals and citizens of the United  
22 States of America, and entitled to the rights and privileges of  
23 such nationality and citizenship, notwithstanding their purported  
24 applications for renunciation of United States nationality under  
25 Section 401 (i) of the Nationality Act of 1940, as amended, their  
26 purported renunciations of United States nationality pursuant  
27 thereto and the approvals thereof given by the Attorney General,  
28 all of which occurred during the calendar years 1944 and 1945,  
29 A.D., and all of which are hereby declared to be, and at all times  
30 to have been, null, void and without legal effect upon the status  
31 and rights as nationals and citizens of the United States of any  
32 such plaintiffs, whose names and birthdates are as follows:

NAME	BIRTHDATE
<u>NAKAMURA, Tsugio</u>	<u>2-27-18</u>

II.

That no costs shall be taxed by the Clerk to any party.

Done in open Court this 29 day of September, 1958.

/s/ LOUIS E. GOODMAN  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

GEORGE COCHRAN DOUB, Assistant Attorney General  
ROBERT H. SCHNACKE, United States Attorney, and a Defendant  
ENOCH E. ELLISON, Attorney, Department of Justice  
PAUL J. GRUMBLY, Attorney, Department of Justice.

By: /s/ Charles Elmer Collett  
Assistant United States Attorney  
Attorneys for Defendants.



UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,	Plaintiffs,	}	No. 25294
vs.			
WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,	Defendants,	}	Cons. No. 25294-G
and			
MARY KANAME FURUYA, et al., etc.,	Plaintiffs,	}	No. 25295
vs.			
WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,	Defendants.	}	

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true copy of excerpt of the original FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED PLAINTIFFS WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS UNITED STATES NATIONALS, made and filed in the above entitled cause on SEP 29 1958 and entered SEP 30 1958, with the name of Tsugio Nakamura, a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California this 30 day of September, A. D. 1958.

C. W. CALBREATH,  
Clerk,

By

Dore E. Knepper  
Deputy Clerk.



1 Wayne M. Collins  
2 Attorney at Law  
3 Mills Tower, 220 Bush Street  
4 San Francisco 4, California  
5 GARfield 1-5827  
6 Attorney for Plaintiffs

ORIGINAL  
FILED 1959  
FEB - 9 1959  
Clerk, U.S. Dist. Court  
San Francisco

7 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9	- - - - - )	
10	TADAYASU ABO, et al., etc., )	
	Plaintiffs, )	
11	-vs- )	No. 25294
12	WILLIAM P. ROGERS, as Attorney General )	
	of the United States, etc., et al., )	
13	Defendants. )	
	and )	
14	- - - - - )	Cons. No. 25294-G
15	MARY KANAME FURUYA, et al., etc., )	
	Plaintiffs, )	
16	-vs- )	No. 25295
17	WILLIAM P. ROGERS, as Attorney General )	
	of the United States, etc., et al., )	
18	Defendants. )	
	- - - - - )	

19 FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
20 PARTIES-PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS  
21 UNITED STATES NATIONALS

22 This cause (originally consisting of companion suits Nos.  
23 25294-G and 25295-G, which have been consolidated under No. 25294-  
24 G) being submitted to this Court, sitting without a jury, for  
25 decision on the merits of the individual causes of certain parties-  
26 plaintiff, hereinafter named, pursuant to a written "Stipulation Re  
27 Judgment as to Certain Named Parties-Plaintiff Who Have Been Docu-  
28 mented or Recognized as United States Nationals" entered into  
29 between the parties hereto and filed herein this date; and it being  
30 stipulated that, subsequent to their purported renunciations of  
31 United States nationality pursuant to the provisions of Section  
32 401(i) of the Nationality Act of 1940, as amended (former Title  
8 U.S.C., Section 801 (i) ), during the calendar years 1944 and  
1945, said plaintiffs have been documented or recognized as United  
States nationals upon their applications duly made either to the  
Department of State or to the United States Immigration and  
Naturalization Service, and it being stipulated that such purported  
acts of renunciation occurred while such parties-plaintiff were  
resident at the Segregation Center of the War Relocation Authority  
at Tule Lake, Newell, California; and the attorneys for the  
defendant Attorney General and those acting under his authority  
having withdrawn all offers of proof heretofore made herein with  
respect to such parties-defendant and conceding that they have



1 made out a prima facie case for relief under the ruling of the  
2 United States Court of Appeals for the Ninth Circuit in this cause  
3 (McGrath v. Abo, 186 F. 2d 766), such concession being consistent  
4 with the Court's conclusions as to the effect of applicable law in  
5 the circumstances; and formal findings of fact and conclusions of  
6 law herein being waived; and the Court being advised that counsel  
7 for such defendants will offer no objection to the entry of a final  
8 order, judgment and decree on the merits of the causes herein, in  
9 favor of the hereinafter specifically identified parties-plaintiff;  
10 and there being no just reason for delay;

11  
12 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
13 Act of 1940, as amended (former Title 8, U.S.C., Section 903)  
14 which was, by Section 405 of the Act of June 27, 1952, 66 Stat.  
15 280, effective December 24, 1952, continued in force and effect  
16 for the purpose of this cause, and pursuant to the terms of such  
17 stipulation,

18 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
19 judgment and decree directed to be entered in this cause:

20 I.

21 That the plaintiffs hereinafter identified are and at all  
22 times have been, natives, nationals and citizens of the United  
23 States of America, and entitled to the rights and privileges of  
24 such nationality and citizenship, notwithstanding their purported  
25 applications for renunciation of United States nationality under  
26 Section 401 (i) of the Nationality Act of 1940, as amended, their  
27 purported renunciations of United States nationality pursuant  
28 thereto and the approvals thereof given by the Attorney General,  
29 all of which occurred during the calendar years 1944 and 1945,  
30 A.D., and all of which are hereby declared to be, and at all times  
31 to have been, null, void and without legal effect upon the status  
32 and rights as nationals and citizens of the United States of any  
such plaintiffs, whose names and birthdates are as follows:

NAME	BIRTHDATE
NAKAMURA, Utaka	9-2-23

II.

That no costs shall be taxed by the Clerk to any party.

Done in open Court this 9 day of February 1959.

/s/ LOUIS E. GOODMAN  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

GEORGE COCHRAN DOUB, Assistant Attorney General  
ROBERT H. SCHNACKE, United States Attorney, and a Defendant  
ENOCH E. ELLISON, Attorney, Department of Justice  
PAUL J. GRUMBLY, Attorney, Department of Justice.

By: /s/ Charles Elmer Collett  
Assistant United States Attorney  
Attorneys for Defendants.



UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,	)	
Plaintiffs,	)	
vs.	)	
WILLIAM P. ROGERS, as Attorney General	)	No. 25294
of the United States, etc., et al.,	)	
Defendants.	)	
and	)	Cons. No. 25294-G
-----	)	
MARY KANAME FURUYA, et al., etc.,	)	
Plaintiffs,	)	No. 25295
vs.	)	
WILLIAM P. ROGERS, as Attorney General	)	
of the United States, etc., et al.,	)	
Defendants.	)	

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true copy of excerpt of the original FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED PLAINTIFFS WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS UNITED STATES NATIONALS, made and filed in the above entitled cause on FEB - 9 1959 and entered FEB - 9 1959, with the name of Utaka Nakamura, a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California this 9 day of February, A. D. 1959.

C. W. CALBREATH,  
Clerk,

By Dore E. Knepper  
Deputy Clerk.



Nakamura, Zuteka

Wayne M. Collins  
Mills Tower, 220 Bush Street  
San Francisco 4, California  
GARfield 1-5827  
Attorney for Plaintiffs.

ORIGINAL  
FILED  
APR 13 1959  
Clerk, U.S. Dist. Court  
San Francisco

IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TADAYASU ABO, et al., etc.,  
Plaintiffs,  
-vs-  
WILLIAM P. ROGERS, as Attorney  
General of the United States, etc., et al.,  
Defendants.

No. 25294

and  
-----  
MARY KANAME FURUYA, et al., etc.,  
Plaintiffs,  
-vs-  
WILLIAM P. ROGERS, as Attorney  
General of the United States, etc., et al.,  
Defendants.

Cons.No. 25294-G

No. 25295

FINAL ORDER, JUDGMENT AND DECREE AS TO CERTAIN NAMED PLAINTIFFS  
AS TO WHOM THE DEFENDANTS HAVE WITHDRAWN ALL OFFERS OF PROOF

This cause (originally consisting of companion suits Nos.  
25294-G and 25295-G which had been consolidated under No.25294-G)  
being submitted to this Court, sitting without a jury, for deci-  
sion of the cause of certain individual parties-plaintiff here-  
inafter named, pursuant to the "DEFENDANTS' WITHDRAWAL OF OFFERS  
OF PROOF AS TO CERTAIN NAMED PLAINTIFFS AND CONSENT TO IMMEDIATE  
ACTION" filed herein and approved this date by this Court;



1           And it being conceded therein by counsel for certain  
2 defendants, namely the Attorney General of the United States,  
3 and those under his authority, that the evidence with respect  
4 to such named plaintiffs which the defendants have offered to  
5 produce is insufficient to overcome the presumption established  
6 by the decision of the United States Court of Appeals for the  
7 Ninth Circuit in this cause (McGrath v. Abo, 186 F. 2d 766),  
8 that the said plaintiffs' renunciations of citizenship were  
9 not their free and voluntary acts, and such concession being  
10 consistent with the Court's conclusion as to the effect of the  
11 applicable law in the circumstances; and formal findings of  
12 fact and conclusions of law having been waived;

13           And counsel for such parties-defendant having withdrawn  
14 any objection to the entry of a final order, judgment and  
15 decree, in accordance with the mandate of the Court of Appeals  
16 in this cause and having given their consent to immediate action  
17 by this Court in that regard as to the hereinafter specifically  
18 identified parties-plaintiff; and there being no just reason  
19 for delay;

20           NOW, THEREFORE, pursuant to Section 503 of the Nationality  
21 Act of 1940 as amended (former Title 8 U.S.C. Sec. 903), which  
22 was by Sec. 405 of the Act of June 27, 1952, 66 Stat. 280,  
23 effective December 24, 1952, continued in force and effect for  
24 purposes of this cause, and pursuant to the provisions of such  
25 "DEFENDANTS' WITHDRAWAL OF OFFERS OF PROOF AS TO CERTAIN NAMED  
26 PLAINTIFFS AND CONSENT TO IMMEDIATE ACTION,"

27           It is ORDERED, ADJUDGED, AND DECREED as and for a final  
28 order, judgment and decree directed to be entered in this cause:

29                               I

30           That the plaintiffs hereinafter identified and listed in  
31 the attached schedule of three pages containing 76 names, are  
32 and at all times have been natives, nationals and citizens of



1 the United States of America, and entitled to the rights and  
2 privileges of such nationality and citizenship, notwithstanding  
3 their purported applications for renunciation of United States  
4 nationality pursuant to Section 401(i) of the Nationality Act  
5 of 1940, as amended, their purported renunciations of United  
6 States nationality pursuant thereto and the approvals thereof  
7 given by the Attorney General, all of which occurred during the  
8 calendar years 1944 and 1945, and all of which are hereby  
9 declared to be and at all times to have been null, void and  
10 without legal effect upon the status and rights as nationals  
11 and citizens of the United States of any such plaintiffs whose  
12 names and birthdates are set forth on the attached schedule.

13 II

14 That no cost shall be taxed by the clerk to any party.

15 Done in open Court this 13 day of April, 1959.

16  
17 LOUIS E. GOODMAN

18  
19 UNITED STATES DISTRICT JUDGE

20  
21 APPROVED AS TO FORM:

22  
23 GEORGE COCHRAN DOUB, Assistant Attorney General  
24 ROBERT H. SCHNACKE, United States Attorney, and a Defendant  
25 ENOCH E. ELLISON, Attorney, Department of Justice  
26 OLLIE COLLINS, Attorney, Department of Justice

27 By /s/ Charles Elmer Collett

28 Assistant United States Attorney

29 Attorneys for Defendants.

30  
31 NAME

DATE OF BIRTH

32 NAKAMURA, Yutaka

3-15-01



UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,	(	
	)	
Plaintiffs,	(	
-vs-	)	No. 25294
	(	
WILLIAM P. ROGERS, as Attorney General	)	
of the United States, etc., et al.,	(	
	)	
Defendants.	(	
	)	
and	(	
-----	)	Cons. No. 25294-G
	(	
MARY KANAME FURUYA, et al., etc.,	)	
	(	
Plaintiffs,	)	
-vs-	(	No. 25295
	)	
WILLIAM P. ROGERS, as Attorney General	(	
of the United States, etc., et al.,	)	
	(	
Defendants.	)	
-----	(	

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true copy of excerpt of the original FINAL ORDER, JUDGMENT AND DECREE AS TO CERTAIN NAMED PLAINTIFFS AS TO WHOM THE DEFENDANTS HAVE WITHDRAWN ALL OFFERS OF PROOF made and filed in the above-entitled cause on APR 13 1959 and entered APR 13 1959, with the name of Yutaka Nakamura a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California, this 13 day of April, A.D. 1959.

C. W. CALBREATH,  
Clerk,

By Margaret Blair  
Deputy Clerk.



*Nakanishi, Fumiko*

1 Wayne M. Collins  
2 Attorney at Law  
3 Mills Tower, 220 Bush Street  
4 San Francisco 4, California  
5 Garfield 1-5827  
6 Attorney for Plaintiffs

ORIGINAL  
FILED  
SEP 30 1958  
Clerk, U.S. Dist. Court  
San Francisco

6 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9	-----	}	
10	TADAYASU ABO, et al., etc.,		
11	-vs-		No. 25294
12	Plaintiffs,		
13	WILLIAM P. ROGERS, as Attorney General	}	
14	of the United States, etc., et al.,		
15	Defendants		
16	and -----		Cons. No. 25294-G
17	MARY KANAME FURUYA, et al, etc.,	}	
18	Plaintiffs,		
19	-vs-		No. 25295
20	Defendants		

21 FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
22 PARTIES-PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS  
23 UNITED STATES NATIONALS

24 This cause (originally consisting of companion suits Nos.  
25 25294-G and 25295-G, which have been consolidated under No. 25294-  
26 G) being submitted to this Court, sitting without a jury, for  
27 decision on the merits of the individual causes of certain parties-  
28 plaintiff, hereinafter named, pursuant to a written "Stipulation Re  
29 Judgment as to Certain Named Parties-Plaintiff Who Have Been Docu-  
30 mented or Recognized as United States Nationals" entered into  
31 between the parties hereto and filed herein this date; and it being  
32 stipulated that, subsequent to their purported renunciations of  
United States nationality pursuant to the provisions of Section  
401(1) of the Nationality Act of 1940, as amended (former title  
8 U.S.C., Section 801 (1) ), during the calendar years 1944 and  
1945, said plaintiffs have been documented or recognized as United  
States nationals upon their applications duly made either to the  
Department of State or to the United States Immigration and  
Naturalization Service, and it being stipulated that such purported  
acts of renunciation occurred while such parties-plaintiff were  
resident at the Segregation Center of the War Relocation Authority  
at Tule Lake, Newell, California; and the attorneys for the  
defendant Attorney General and those acting under his authority  
having withdrawn all offers of proof heretofore made herein with  
respect to such parties-defendant and conceding that they have



1 made out a prima facie case for relief under the ruling of the  
2 United States Court of Appeals for the Ninth Circuit in this cause  
3 (McGrath v. Abo, 186 F. 2d 766), such concession being consistent  
4 with the Court's conclusions as to the effect of applicable law in  
5 the circumstances; and formal findings of fact and conclusions of  
6 law herein being waived; and the Court being advised that counsel  
7 for such defendants will offer no objection to the entry of a final  
8 order, judgment and decree on the merits of the causes herein, in  
9 favor of the hereinafter specifically identified parties-plaintiff;  
10 and there being no just reason for delay;

11  
12 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
13 Act of 1940, as amended (former Title 8, U.S.C., Section 903)  
14 which was, by Section 405 of the Act of June 27, 1952, 66 Stat.  
15 280, effective December 24, 1952, continued in force and effect  
16 for the purpose of this cause, and pursuant to the terms of such  
17 stipulation.

18 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
19 judgment and decree directed to be entered in this cause:

20 I.

21 That the plaintiffs hereinafter identified are and at all  
22 times have been, natives, nationals and citizens of the United  
23 States of America, and entitled to the rights and privileges of  
24 such nationality and citizenship, notwithstanding their purported  
25 applications for renunciation of United States nationality under  
26 Section 401 (i) of the Nationality Act of 1940, as amended, their  
27 purported renunciations of United States nationality pursuant  
28 thereto and the approvals thereof given by the Attorney General,  
29 all of which occurred during the calendar years 1944 and 1945,  
30 A.D., and all of which are hereby declared to be, and at all times  
31 to have been, null, void and without legal effect upon the status  
32 and rights as nationals and citizens of the United States of any  
such plaintiffs, whose names and birthdates are as follows:

NAME	BIRTHDATE
<u>NAKANISHI, Fumiko (now MATSUURA)</u>	<u>8-2-20</u>

II.

That no costs shall be taxed by the Clerk to any party.

Done in open Court this 29 day of September, 1958.

/s/ LOUIS E. GOODMAN  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

GEORGE COCHRAN DOUB, Assistant Attorney General  
ROBERT H. SCHNACKE, United States Attorney, and a Defendant  
ENOCH E. ELLISON, Attorney, Department of Justice  
PAUL J. GRUMBLY, Attorney, Department of Justice.

By: /s/ Charles Elmer Collett  
Assistant United States Attorney  
Attorneys for Defendants.



UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,	Plaintiffs,	
vs.		
WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,	Defendants,	No. 25294
and		Cons. No. 25294-G
<hr/>		
MARY KANAME FURUYA, et al., etc.,	Plaintiffs,	
vs.		No. 25295
WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,	Defendants.	

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true copy of excerpt of the original FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED PLAINTIFFS WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS UNITED STATES NATIONALS, made and filed in the above entitled cause on SEP 29 1958 and entered SEP 30 1958, with the name of Fumiko Nakanishi (now Matsuura), a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California this 30 day of September, A. D. 1958.

C. W. CALBREATH,  
Clerk,

By

James E. Frenkel  
Deputy Clerk.



*Nakanishi Hiroshi*

1 Wayne M. Collins  
2 Attorney at Law  
3 Mills Tower, 220 Bush Street  
4 San Francisco 4, California  
5 GARfield 1-5827  
6 Attorney for Plaintiffs

ORIGINAL  
FILED  
MAR 10 1958  
Clerk, U. S. Dist. Court  
San Francisco

6 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9	TADAYASU ABO, et al., etc.,	}	No. 25294
10	Plaintiffs,		
11	-vs-		
12	WILLIAM P. ROGERS, as Attorney General	}	Cons. No. 25294-G
13	of the United States, etc., et al.,		
14	Defendants.		
15	and		
16	MARY KANAME FURUYA, et al, etc.,	}	No. 25295
17	Plaintiffs,		
18	-vs-		
19	WILLIAM P. ROGERS, as Attorney General	}	
20	of the United States, etc., et al.,		
21	Defendants.		

19 FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
20 PARTIES-PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS  
21 UNITED STATES NATIONALS

22 This cause (originally consisting of companion suits Nos.  
23 25294-G and 25295-G, which have been consolidated under No. 25294-  
24 G) being submitted to this Court, sitting without a jury, for  
25 decision on the merits of the individual causes of certain parties-  
26 plaintiff, hereinafter named, pursuant to a written "Stipulation Re  
27 Judgment as to Certain Named Parties-Plaintiff Who Have Been Docu-  
28 mented or Recognized as United States Nationals" entered into  
29 between the parties hereto and filed herein this date; and it being  
30 stipulated that, subsequent to their purported renunciations of  
31 United States nationality pursuant to the provisions of Section  
32 401(i) of the Nationality Act of 1940, as amended (former title  
8 U.S.C., Section 801 (i) ), during the calendar years 1944 and  
1945, said plaintiffs have been documented or recognized as United  
States nationals upon their applications duly made either to the  
Department of State or to the United States Immigration and  
Naturalization Service, and it being stipulated that such purported  
acts of renunciation occurred while such parties-plaintiff were  
resident at the Segregation Center of the War Relocation Authority  
at Tule Lake, Newell, California; and the attorneys for the  
defendant Attorney General and those acting under his authority  
having withdrawn all offers of proof heretofore made herein with  
respect to such parties-defendant and conceding that they have



1 made out a prima facie case for relief under the ruling of the  
2 United States Court of Appeals for the Ninth Circuit in this cause  
3 (McGrath v. Abo, 186 F 2d 766), such concession being consistent  
4 with the Court's conclusions as to the effect of applicable law  
5 in the circumstances; and formal findings of fact and conclusions  
6 of law herein being waived; and the Court being advised that  
7 counsel for such defendants will offer no objection to the entry  
8 of a final order, judgment and decree on the merits of the causes  
9 herein, in favor of the hereinafter specifically identified parties  
10 plaintiff; and there being no just reason for delay;

11 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
12 Act of 1940, as amended (former Title 8, U.S.C., Section 903)  
13 which was, by Section 405 of the Act of June 27, 1952, 66 Stat.  
14 280, effective December 24, 1952, continued in force and effect  
15 for the purpose of this cause, and pursuant to the terms of such  
16 stipulation,

17 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
18 judgment and decree directed to be entered in this cause:

19 I.

20 That the plaintiffs hereinafter identified are and at all  
21 times have been, natives, nationals and citizens of the United  
22 States of America, and entitled to the rights and privileges of  
23 such nationality and citizenship, notwithstanding their purported  
24 applications for renunciation of United States nationality under  
25 Section 401 (i) of the Nationality Act of 1940, as amended, their  
26 purported renunciations of United States nationality pursuant  
27 thereto and the approvals thereof given by the Attorney General,  
28 all of which occurred during the calendar years 1944 and 1945,  
29 A. D., and all of which are hereby declared to be, and at all times  
30 to have been, null, void and without legal effect upon the status  
31 and rights as nationals and citizens of the United States of any  
32 such plaintiffs, whose names and birthdates are as follows:

NAME	BIRTHDATE
NAKANISHI, Hiroshi	September 30, 1918

II.

That no costs shall be taxed by the Clerk to any party.

Done in open Court this \_\_\_\_\_ day of March 1958.

\_\_\_\_\_  
/s/ LOUIS E. GOODMAN  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

GEORGE COCHRAN DOUB, Assistant Attorney General  
LLOYD H. BURKE, United States Attorney, and a Defendant  
ENOCH E. ELLISON, Attorney, Department of Justice  
PAUL J. GRUMBLY, Attorney, Department of Justice.

By: /s/ Charles Elmer Collett  
Assistant United States Attorney  
Attorneys for Defendants.



UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,	}	
		Plaintiffs,
vs.		
WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,		No. 25294
		Defendants,
and		Cons. No. 25294-G
MARY KANAME FURUYA, et al, etc.,		
		Plaintiffs,
vs.		No. 25295
WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,		
	Defendants.	

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true copy of excerpt of the original FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED PLAINTIFFS WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS UNITED STATES NATIONALS, made and filed in the above entitled cause on MAR 10 1958 and entered MAR 10 1958, with the name of -----Hiroshi Nakanishi-----, a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California this 10 day of March, A. D. 1958.

C. W. CALBREATH,  
Clerk,

By Dore E. Knepper  
Deputy Clerk.



Nakanishi, Isuzo

Wayne M. Collins  
Attorney at Law  
Mills Tower, 220 Bush Street  
San Francisco 4, Calif.  
GARfield 1-5827  
Attorney for Plaintiffs

ORIGINAL  
FILED  
MAY 3 1957

Clerk, U.S. Dist. Court  
San Francisco

IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TADAYASU ABO, et al., etc.,

Plaintiffs,

-vs-

No. 25294

HERBERT BROWNELL, JR., as Attorney General  
of the United States, etc., et al.,

Defendants.

and

Cons. No. 25294-G

MARY KANAME FURUYA, et al., etc.,

Plaintiffs,

-vs-

HERBERT BROWNELL, JR., as Attorney General  
of the United States, etc., et al.,

Defendants,

No. 25295

FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
PARTIES PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS  
UNITED STATES NATIONALS.

This cause (originally consisting of companion suits Nos. 25294-G and 25295-G, which have been consolidated under No. 25294-G) being submitted to this Court, sitting without a jury, for decision on the merits of the individual causes of certain parties-plaintiff, hereinafter named, pursuant to a written "Stipulation Re Judgment as to Certain Named Parties-Plaintiff Who Have Been Documented or Recognized as United States Nationals" entered into between the parties hereto and filed herein this date; and it being stipulated that, subsequent to their purported renunciations of United States nationality pursuant to the provisions of Section 401 (i) of the Nationality Act of 1940, as amended, (former Title 8 U.S.C., Section 801 (i) during the calendar years, 1944 and 1945, said plaintiffs have been documented or recognized as United States nationals upon their applications duly made either to the Department of State or to the United States Immigration and Naturalization Service, and it being stipulated that such purported acts of renunciation occurred while such parties-plaintiff were resident at the Segregation Center of the War Relocation Authority at Tule Lake, Newell, California; and the attorneys for the defendant Attorney General and those acting under his authority having withdrawn all offers of proof heretofore made herein with respect to such parties-defendant and conceding that they have made out a prima facie case for relief under the ruling of the United States Court of Appeals for the Ninth Circuit in this cause (McGrath v. Abo, 186 F 2d, 766), such concession being consistent with the Court's conclusions as to the effect of applicable law in the circumstances; and formal findings of fact and conclusions of law herein being waived; and the Court being advised that counsel for such defendants will offer no objection to the entry of a final



1 order, judgment and decree on the merits of the causes herein, in  
2 favor of the hereinafter specifically identified parties-plaintiff;  
and there being no just reason for delay;

3 NOW, THEREFORE, pursuant to Section 503 of the Nationality Act  
4 of 1940, as amended, (former Title 8, U.S.C., Section 903) which  
was, by Section 405 of the Act of June 27, 1952, 66 Stat. 280 effec-  
5 tive December 24, 1952 continued in force and effect for the purpose  
of this cause, and pursuant to the terms of such stipulation,

6 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
7 judgment and decree directed to be entered in this cause:

8 I.

9 That the plaintiffs hereinafter identified are and at all  
10 times have been, natives, nationals and citizens of the United  
States of America, and entitled to the rights and privileges of  
11 such nationality and citizenship, notwithstanding their purported  
applications for renunciation of United States nationality under  
12 Section 401 (i) of the Nationality Act of 1940, as amended, their  
purported renunciations of United States nationality pursuant  
13 thereto and the approvals thereof given by the Attorney General,  
all of which occurred during the calendar years 1944 and 1945,  
14 A.D., and all of which are hereby declared to be, and at all times  
to have been, null, void and without legal effect upon the status  
and rights as nationals and citizens of the United States of any  
15 such plaintiffs, whose names and birthdates are as follows:

16	NAME	BIRTHDATE
17	NAKANISHI, Tsugio	1-6-13

18 II.

19 That no costs shall be taxed by the Clerk to any party.  
20 Done in open Court this 3rd. day of May, 1957 .

21 /s/ EDWARD P. MURPHY

22 UNITED STATES DISTRICT JUDGE

23 APPROVED AS TO FORM:

24 GEORGE COCHRAN DOUB, Assistant Attorney General.  
LLOYD H. BURKE, United States Attorney, and a Defendant.  
25 ENOCH E. ELLISON, Attorney, Department of Justice.  
26 PAUL J. GRUMBLY, Attorney, Department of Justice.

27 By: /s/ Charles Elmer Collett /By M.D.M.  
28 Assistant United States Attorney  
Attorneys for Defendants



UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,

Plaintiffs,

-vs-

HERBERT BROWNELL, JR. as Attorney General  
of the United States, etc., et al.,

Defendants.

No. 25294

- - - and - - - - -

Cons. No. 25294-G

MARY KANAME FURUYA, et al., etc.,

Plaintiffs,

-vs-

HERBERT BROWNELL, JR., as Attorney General  
of the United States, etc., et al.,

Defendants.

No. 25295

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court  
in and for the Northern District of California, do hereby certify  
that the annexed and foregoing is a true copy of excerpt of the  
original FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
PARTIES-PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS UNITED  
STATES NATIONALS made and filed in the above-entitled cause on

MAY 3 1957 , and entered MAY 3 1957 , with the name of  
NAKANISHI, Tsugio

a plaintiff, remaining among the records of the said Court in my  
office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and  
affixed the seal of the aforesaid Court at San Francisco, California,  
this 8<sup>th</sup> day of May, A.D. 1957.

C. W. CALBREATH,  
Clerk,

By Margaret P. Bear  
Deputy Clerk.