

22:10

JUDGMENT ORDERS - DECEASED PERSONS

1952-1959

ABO & FURUYA v. Brownell, et al., etc.,  
(Cons. no. 25294-G)

78/177  
C

TAKEMIYA, Mitsuye

Kojima Cho, Higashi Yama Matsuhara  
Sagaru Higashiyama Ku  
Kyoto, Japan

M.R. 12/4/51

\$300.00

Deceased

*Sakemura Mitsuye*

1 Wayne M. Collins  
1701 Mills Tower  
2 San Francisco 4, Calif.  
GARfield 1-1218  
3 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  
of the United States, etc., et al., )  
16 Defendants. )

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

19  
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,  
1951,

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

27 (B) It is Further Ordered that the Final Order, Judgment and  
28 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  
29 May 2, 1949, be, and the same hereby is amended to read as follows:

30 "IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
31 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  
5 whom 19, indicated by an asterisk following their respective names,  
6 are plaintiffs in proceeding No. 25295 herein, consolidated there-  
7 with, to-wit:-

8	NAME	BIRTHDATE
9	TAKEMIYA, Mitsuye	6/4/24

10 as follows:

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

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

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

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

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

LOUIS E. GOODMAN,  
UNITED STATES DISTRICT JUDGE

Approved as to form:  
(S) Edgar R. Bonsall  
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.....

TAKEMIYA, Mitsuye

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 P. Bear  
Deputy Clerk.

FUJISHIGE, Yozo

~~Inactive~~ or Deceased.

*Fujishige, Yozo*

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

ORIGINAL  
FILED  
May 29, 1952  
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-

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

Defendants.

No. 25294

Cons. No. 25294

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

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

(A) It is 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, insofar as it pertained to the following named defendants sued in their representative capacities herein, to-wit, Dean Acheson, as Secretary of State, John W. Snyder, as the Secretary of the Treasury, Julius A. Krug, as the Secretary of the Interior, Dillon S. Myer, as Director, War Relocation Authority, and Raymond R. Best, as Project Director, Tule Lake Center, be and the same hereby is 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	BIRTHDATE
6	FUJISHIGE, Yozo	3/7/21

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  
approving each such application and renunciation are, and each of  
said things is, wholly illegal, contrary to law and public policy,  
null and void ab initio, and they are, and each of said things is,  
hereby cancelled and set aside.

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

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

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

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

29 LOUIS E. GOODMAN,  
30 UNITED STATES DISTRICT JUDGE

31 Approved as to form:  
32 (S) Edgar R. Bonsall  
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.....

FUJISHIGE, Yozo

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 Beair  
Deputy Clerk.

HONDA, Chiyome

~~Inactive or~~ Deceased.

*Honda, Chiyome*

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

ORIGINAL  
FILED  
May 29, 1952  
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-

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

Defendants.

No. 25294

Cons. No. 25294

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

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

(A) It is 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, insofar as it pertained to the following named defendants sued in their representative capacities herein, to-wit, Dean Acheson, as Secretary of State, John W. Snyder, as the Secretary of the Treasury, Julius A. Krug, as the Secretary of the Interior, Dillon S. Myer, as Director, War Relocation Authority, and Raymond R. Best, as Project Director, Tule Lake Center, be and the same hereby is 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  
5 whom 19, indicated by an asterisk following their respective names,  
6 are plaintiffs in proceeding No. 25295 herein, consolidated there-  
7 with, to-wit:-

8	NAME	BIRTHDATE
9	HONDA, Chiyome	8/9/18

10 as follows:

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

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

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

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

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

LOUIS E. GOODMAN,  
UNITED STATES DISTRICT JUDGE

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

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

TADAYASU ABO, et al., etc.,

*Plaintiffs,*

VS.

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*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.....

HONDA, Chiyome

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 P. Beaver  
*Deputy Clerk.*

OBANA, Tadashi (\*)

~~Inactive~~ or Deceased.

Obama, Tadashi

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

ORIGINAL  
FILED  
May 29, 1952  
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San Francisco

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

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

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

19  
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,  
1951,

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

27 (B) It is Further Ordered that the Final Order, Judgment and  
28 Decree of this Court, entered in this cause on April 12, 1949,  
29 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:

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

specified in paragraph (A) hereinabove, and in favor of each and all of the One Thousand Four (1,004) specifically named plaintiffs listed and set forth in the following thirty-two (32) pages and 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 therewith, to-wit:-

NAME

BIRTHDATE

~~OBANA, Tadashi (\*)~~

~~9/19/25~~

as follows:

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

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

3. The remaining defendants, other than those hereinabove specifically named in paragraph (A) hereof, are, and each of them is, and their agents, servants, employees and representatives are, and each of them is, hereby permanently enjoined from detaining, imprisoning or interning the plaintiffs whose names are listed in paragraph (B) hereof or any of them and from restraining them or any of them of liberty and from removing them or any of them to Japan or elsewhere and from interfering with their freedom of movement within the United States and right of access to their 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."

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

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

LOUIS E. GOODMAN,

UNITED STATES DISTRICT JUDGE

Approved as to form:

(S) Edgar R. Bonsall

Asst. U.S. Atty.

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

TADAYASU ABO, et al., etc.,

*Plaintiffs,*

vs.

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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.....

.....OBANA, Tadashi (\*)  
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 *L. O. Jacobsen*  
*Deputy Clerk.*

OISHI, Frank Asao

~~Inactive~~ or Deceased.

*Oishi, Frank*  
*Arad*

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

ORIGINAL  
FILED  
May 29, 1952  
Clerk, U.S. Dist. Court  
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IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
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Plaintiffs,

-vs-

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

Defendants.

No. 25294

Cons. No. 25294

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OF THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

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

(A) It is 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, insofar as it pertained to the following named defendants sued in their representative capacities herein, to-wit, Dean Acheson, as Secretary of State, John W. Snyder, as the Secretary of the Treasury, Julius A. Krug, as the Secretary of the Interior, Dillon S. Myer, as Director, War Relocation Authority, and Raymond R. Best, as Project Director, Tule Lake Center, be and the same hereby is set aside.

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1 specified in paragraph (A) hereinabove, and in favor of each and  
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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	BIRTHDATE
6	OISHI, Frank Asao	4/7/25

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  
approving each such application and renunciation are, and each of  
said things is, wholly illegal, contrary to law and public policy,  
null and void ab initio, and they are, and each of said things is,  
hereby cancelled and set aside.

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

16 3. The remaining defendants, other than those hereinabove  
17 specifically named in paragraph (A) hereof, are, and each of them  
18 is, and their agents, servants, employees and representatives are,  
and each of them is, hereby permanently enjoined from detaining,  
19 imprisoning or interning the plaintiffs whose names are listed in  
paragraph (B) hereof or any of them and from restraining them  
20 or any of them of liberty and from removing them or any of them  
to Japan or elsewhere and from interfering with their freedom of  
movement within the United States and right of access to their  
21 homes in the United States from abroad and from interfering with  
their full and complete exercise and enjoyment of each and all  
22 of their rights, privileges and immunities of United States  
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23  
24 (C) It is Further Ordered that as to the Plaintiffs in this  
25 cause excepting those hereinabove specifically listed by name  
in paragraph (B) hereof, the Order, Judgment and Decree of this  
26 Court entered on April 12, 1949, hereby is set aside and that, as  
to such remaining plaintiffs in this cause, further proceedings  
27 be had in this cause in accordance with the said Mandate of the  
said United States Court of Appeals entered in this cause on  
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28 Done in Open Court this 29th day of May, 1952.

29 LOUIS E. GOODMAN,  
30 UNITED STATES DISTRICT JUDGE

31 Approved as to form:  
32 (S) Edgar R. Bonsall  
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.....

OISHI, Frank Asao

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 11<sup>th</sup> day of June, A. D. 1952.

C. W. CALBREATH,  
*Clerk,*

By.....

*Deputy Clerk.*

SASAKI, Minoru

~~Inactive or~~ Deceased.

*Sasaki, Minoru*

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

ORIGINAL  
FILED  
May 29, 1952  
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
	)	
JAMES P. McGRANERY, as Attorney General	)	Cons. No. 25294
of the United States, etc., et al.,	)	
	)	
Defendants.	)	
	)	

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

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

(A) It is 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, insofar as it pertained to the following named defendants sued in their representative capacities herein, to-wit, Dean Acheson, as Secretary of State, John W. Snyder, as the Secretary of the Treasury, Julius A. Krug, as the Secretary of the Interior, Dillon S. Myer, as Director, War Relocation Authority, and Raymond R. Best, as Project Director, Tule Lake Center, be and the same hereby is 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

specified in paragraph (A) hereinabove, and in favor of each and all of the One Thousand Four (1,004) specifically named plaintiffs listed and set forth in the following thirty-two (32) pages and 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 therewith, to-wit:-

NAME	BIRTHDATE
SASAKI, Minoru	4/18/25

as follows:

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

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

3. The remaining defendants, other than those hereinabove specifically named in paragraph (A) hereof, are, and each of them is, and their agents, servants, employees and representatives are, and each of them is, hereby permanently enjoined from detaining, imprisoning or interning the plaintiffs whose names are listed in paragraph (B) hereof or any of them and from restraining them or any of them of liberty and from removing them or any of them to Japan or elsewhere and from interfering with their freedom of movement within the United States and right of access to their 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."

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

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

LOUIS E. GOODMAN,  
UNITED STATES DISTRICT JUDGE

Approved as to form:  
(S) Edgar R. Bonsall  
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.....

SASAKI, Minoru

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.....

*Deputy Clerk.*

TANIMOTO WATARU WALTER

*Deceased*

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

ORIGINAL  
F I L E D

Dec 4, 1956

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 Plaintiffs,  
12 -vs-  
13 HERBERT BROWNELL, JR., as Attorney  
14 General of the United States, etc., et al.,  
15 Defendants.

No. 25294

16 and

Cons.No. 25294-G

17 MARY KANAME FURUYA, et al., etc.,  
18 Plaintiffs,  
19 -vs-  
20 HERBERT BROWNELL, JR., as Attorney  
General of the United States, etc., et al.,  
21 Defendants.

No. 25295

23 FINAL ORDER, JUDGMENT AND DECREE AS TO CERTAIN NAMED PLAINTIFFS  
24 AS TO WHOM THE DEFENDANTS HAVE WITHDRAWN ALL OFFERS OF PROOF  
25

26 This cause (originally consisting of companion suits Nos.  
27 25294-G and 25295-G which had been consolidated under No. 25294-G)  
28 being submitted to this Court, sitting without a jury, for decision  
29 of the cause of certain individual parties-plaintiff hereinafter  
30 named, pursuant to the "DEFENDANTS' WITHDRAWAL OF OFFERS OF PROOF  
31 AS TO CERTAIN NAMED PLAINTIFFS AND CONSENT TO IMMEDIATE ACTION"  
32 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 TANIMOTO, Wataru Walt

12-15-23  
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

MARY KANAME FURUYA, et al., etc.,

Plaintiffs,

-vs-

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

Defendants.

Cons. No. 25294-G

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 \_\_\_\_\_

TANIMOTO, Wataru Walt

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. Blair  
Deputy Clerk.

Herai, Jungs  
(deceased)

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

ORIGINAL  
F I L E D  
JUN 12 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-

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

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-G 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 circumstances; and formal findings of fact and conclusions of law having been waived.

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

NOW, THEREFORE, pursuant to Section 503 of the Nationality Act

1 of 1940 as amended, (former Title 8 USC Sec. 903), which was, by  
2 Section 405 of the Act of June 27, 1952, 66 Stat. 280 effective  
3 December 24, 1952, continued in force and effect for purposes  
4 of this cause, and pursuant to the terms of such stipulation,

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

7 I.

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

22	23	24
	NAME	BIRTHDATE
25	HIRAI, Tsuyo	6-2-20

26 II.

27 That no costs shall be taxed by the Clerk to any party.  
28 Done in open Court this 12th day of June.

29 /s/ LOUIS E. GOODMAN  
30 UNITED STATES DISTRICT JUDGE

31 APPROVED AS TO FORM:

32 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.

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

**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 SUBMITTED AFFIDAVITS IN LIEU OF ORAL TESTIMONY made and filed in the above-entitled cause on JUN 12 1957, and entered JUN 12 1957, with the name of HIRAI, Tsuyo, 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 25 day of June, A. D. 1957

C. W. CALBREATH,  
*Clerk,*

By

Margaret P. Bean  
*Deputy Clerk.*

Motoyama, Shizuo  
(deceased)

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 8 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-  
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 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 two pages containing 54 names, are  
32 and at all times have been natives, nationals and citizens of

the United States of America, and entitled to the rights and privileges of such nationality and citizenship, notwithstanding their purported applications for renunciation of United States nationality pursuant to Section 401(i) of the Nationality Act of 1940, as amended, their purported renunciations of United States nationality pursuant thereto and the approvals thereof given by the Attorney General, all of which occurred during the calendar years 1944 and 1945, 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 such plaintiffs whose names and birthdates are set forth on the attached schedule.

II

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

Done in open Court this 8 day of April, 1959.

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  
OLLIE COLLINS, Attorney, Department of Justice

By /s/ Charles Elmer Collett

Assistant United States Attorney  
Attorneys for Defendants.

NAME

DATE OF BIRTH

MOTOYAMA, Shizuo

1-26-23

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 8 1959  
and entered APR 8 1959, with the name of  
Shizuo Motoyama  
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 day of April, A.D. 1959.

C. W. CALBREATH,  
Clerk,

By Don E. Krupper  
Deputy Clerk.

Nakazono, Yoshiko  
(deceased - see GS-)

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-

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 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 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 NAKAZONO, Yoshiko

6-3-17

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  
Yoshiko Nakazono  
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. Snyppe  
Deputy Clerk.

Deceased

*Teguchi, Kazuyasu*

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

ORIGINAL  
FILED  
JUN 16 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 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:

30 NAME	31 BIRTHDATE
32 TAGUCHI, Kazuye	33 5-26-17

34 II.

35 That no costs shall be taxed by the Clerk to any party.  
36 Done in open Court this 16th day of June, 1959.

37 /s/ LOUIS E. GOODMAN  
38 UNITED STATES DISTRICT JUDGE

39 APPROVED AS TO FORM:

40 GEORGE COCHRAN DOUB, Assistant Attorney General  
41 LYNN J. GILLARD, United States Attorney  
42 ENOCH E. ELLISON, Attorney, Department of Justice  
43 OLLIE COLLINS, Attorney, Department of Justice

44 By /s/ Charles Elmer Collett  
45 Assistant United States Attorney  
46 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,	)	
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 SUBMITTED AFFIDAVITS IN LIEU OF ORAL TESTIMONY made and filed in the above-entitled cause on

JUN 16 1959, and entered  
JUN 16 1959, with the name of  
Kazuye Taguchi, 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 19 day of June, A.D. 1959.

C. W. CALBREATH,  
Clerk,

By Dore E. Kueppel  
Deputy Clerk