1	LAWRENCE G. BROWN	
2	Acting United States Attorney LUCILLE GONZALES MEIS	
3	Regional Chief Counsel, Region IX Social Security Administration	
4	ELIZABETH FIRER Special Assistant United States Attorney	
5	333 Market Street, Suite 1500	
6	San Francisco, California 94105 Telephone: (415) 977-8937	
7	Facsimile: (415) 744-0134 E-Mail: Elizabeth.Firer@ssa.gov	
8	Attorneys for Defendant	
9		ATES DISTRICT COURT
10	EASTERN DI	STRICT OF CALIFORNIA
11	FRE	SNO DIVISION
12	BLIA LEE,)
13	Plaintiff,) CASE NO. 1:08-cv-01505-GSA
14	V.) STIPULATION AND ORDER
15	MICHAEL J. ASTRUE,)
16	Commissioner of Social Security,))
17	Defendant.)))
		J

The parties hereby stipulate by counsel, with the Court's approval as indicated by issuance of the attached Order, that Defendant shall have a FIRST extension of time of up to and including September 16, 2009, to respond to Plaintiff's motion for summary judgment. This request is due to an unexpected increase to an already heavy work load on the part of the undersigned attorney for the Commissioner. For the months of June and July, she has been responsible for briefing in approximately 26 district court cases and 2 appellate cases. Further, she has the responsibility to draft the Commissioner's recommendation to the Solicitor General for a writ of certiorari in <u>Vasquez v. Astrue</u>, 547 F.3d 1101 (9th Cir. 2008) after the July 9, 2009, decision of the Ninth Circuit declining en banc review. This task was unpredictable and involves extremely tight and unavoidable deadlines.

1	The undersigned attorney for the Commissioner's heavy schedule has been occasioned, in	
2	large part, by staffing shortages in the Commissioner's regional office. The Commissioner's	
3	Office of Regional Chief Counsel recently experienced sudden departures of four senior	
4	attorneys, two of whom accepted positions as administrative law judges, which provided only a	
5	short time between the offer dates and starting dates. Also, one senior attorney is on extended	
6	emergency medical leave, another senior attorney is on extended paternity leave, and a third	
7	senior attorney is currently working part-time due to the serious medical condition of a family	
8	member. Due to this, the attorneys in this office have experienced an unanticipated increase in	
9	workload due to office restructuring and reassignment of over 250 district court cases and	
10	approximately 20 Ninth Circuit appeals. The shortage of attorneys able to readily brief cases has	
11	eliminated reassigning cases as a method of avoiding extensions. Counsel will also be out of the	
12	office from August 5-10, 2009, in order to attend a family wedding.	
13	The parties further stipulate that the Court's Scheduling Order shall be modified	
14	accordingly.	
15	Respectfully submitted,	
16		
17	Dated: August 3, 2009 /s/ Laura Krank	
18	(As authorized via email) LAURA KRANK	
19	Attorney for Plaintiff	
20		
21	Dated: August 3, 2009 LAWRENCE G. BROWN Acting United States Attorney	
22	LUCILLE GONZALES MEIS Regional Chief Counsel, Region IX	
23	Social Security Administration	
24	/s/ Elizabeth Firer	
25	ELIZABETH FIRER Special Assistant U.S. Attorney	
26	Attorneys for Defendant	
27		
28		

1	ORDER
2	
3	IT IS SO ORDERED.
4	Dated:August 4, 2009/s/ Gary S. AustinUNITED STATES MAGISTRATE JUDGE
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	