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Attorneys for Defendant

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

## **FRESNO DIVISION**

DAVID W. FERNANDES, )  
Plaintiff, )  
v. )  
MICHAEL J. ASTRUE, )  
Acting Commissioner of )  
Social Security, )  
Defendant. )  
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STIPULATION AND ORDER TO EXTEND  
TIME

The parties hereby stipulate by counsel, with the Court's approval as indicated by issuance of the attached Order, that Defendant shall have an extension of time of 14 days to file his Reply to Plaintiff's Opposition to his Motion to Dismiss up to and including May 14, 2009. This request is due to an unusually heavy work load occasioned, in part, by staffing shortages in the Commissioner's regional office, and work-related travel that involved short notice.

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The parties further stipulate that the Court's Scheduling Order shall be modified accordingly.

Respectfully submitted,

*/s/ Lawrence D. Rohlfing*

Dated: April 30, 2009,

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Lawrence D. Rohlfing  
(as authorized via telephone)  
Attorney at Law

Attorney for Plaintiff

Dated: April 30, 2009,

LAWRENCE G. BROWN  
Acting United States Attorney  
LUCILLE GONZALES MEIS  
Regional Chief Counsel, Region IX  
Social Security Administration

By:

*/s/ Elizabeth Firer*

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Elizabeth Firer  
Special Assistant U.S. Attorney

Attorneys for Defendant

IT IS SO ORDERED.

Dated: May 1, 2009

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE