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8 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT  
 10 EASTERN DISTRICT OF CALIFORNIA

12 JOHN BELCHER, )  
 )  
 13 Plaintiff, )  
 )  
 14 v. )  
 )  
 15 MICHAEL J. ASTRUE, )  
 )  
 16 Commissioner of )  
 )  
 17 Social Security, )  
 )  
 Defendant. )  
 18 \_\_\_\_\_ )

CIVIL NO. 1:09-cv-1234-DLB

STIPULATION TO EXTEND BRIEFING  
SCHEDULE AND ORDER

19 The parties hereby stipulate by counsel, with the Court’s approval as indicated by issuance of the  
 20 attached Order, that Defendant shall have a second extension of time of 14 days to respond to Plaintiff’s  
 21 motion for summary judgment. This case was assigned to a new Assistant Regional Counsel (ARC), due  
 22 to a scheduling conflict arising from the large number of cases which await briefing. The ARC is of  
 23 counsel on this case. The ARC requires additional time for two reasons. First, Defendant requires more  
 24 time to respond to Plaintiff’s brief than in the average case because: (1) Plaintiff raises eight (8) issues,  
 25 including res judicata and invalid waiver of counsel; and (2) the brief does not include a summary of  
 26 Plaintiff’s relevant medical evidence or the hearing testimony. Second, the ARC had out-of-town  
 27 obligations that diminished her opportunity to prepare a timely response. The ARC was out of the office  
 28 on February 9, 2010, for a deposition in *DeRenteria v. Astrue*, EEOC No. 550-2010-0043X, and out of

1 the state for the sale of her personal residence on February 18-21, 2010. For these reasons, the  
2 undersigned requests an additional 14 days with which to respond to Plaintiff's motion for summary  
3 judgment. The current due date is February 26, 2010. The new due date will be March 12, 2010.

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

5  
6 Respectfully submitted,

7 Dated: February 22, 2010

8 /s/ Sengthiene Bosavanh  
9 (As authorized via email)  
10 SENGTHIENE BOSAVANH  
11 Attorney for Plaintiff

12 Dated: February 24, 2010

13 BENJAMIN B. WAGNER  
14 United States Attorney  
15 LUCILLE GONZALES MEIS  
16 Regional Chief Counsel, Region IX  
17 Social Security Administration

18 /s/ Katherine R. Loo  
19 KATHERINE R. LOO  
20 Special Assistant U.S. Attorney

21 Attorneys for Defendant

22 OF COUNSEL TO DEFENDANT:

23 CYNTHIA DE NARDI  
24 Assistant Regional Counsel

25 ORDER

26 IT IS SO ORDERED.

27 Dated: February 24, 2010

28 /s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE