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9

10   UNITED STATES DISTRICT COURT

11   EASTERN DISTRICT OF CALIFORNIA

12   FRESNO DIVISION

13

14

15   KATHRYN M. LESTER,   )
) Case No. 1:09-CV-01730-GSA
16   Plaintiff,   )
) STIPULATION AND PROPOSED ORDER
17   v.   ) EXTENDING DEFENDANT'S TIME TO
) RESPOND TO PLAINTIFF'S OPENING
18   MICHAEL J. ASTRUE,   ) BRIEF
     Commissioner of Social Security,   )
19   )
                Defendant.   )
20   )
)
21   ──────────────────────────────   )

22   The parties hereby stipulate by counsel, with the Court's approval as indicated by

23   issuance of the attached Order, that Defendant shall have an extension of time of 30 days to

24   respond to Plaintiff's opening brief, due to workload demands of Defendant's counsel and the

25   complexity of issues in Plaintiff's opening brief. The current due date is June 4, 2010. The new

26   due date will be July 6, 2010. This is Defendant's first request for an extension. Defendant

27   apologizes to the Court for not filing this stipulation sooner.

28

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

Respectfully submitted,

DATE: June 2, 2010   MANUEL D. SERPA
Binder and Binder

By: /s/ Manuel D. Serpa*
(* As authorized via email on June 2, 2010)
MANUEL D. SERPA

Attorneys for Plaintiff

DATE: June 2, 2010   BENJAMIN B. WAGNER
United States Attorney
LUCILLE GONZALES MEIS
Regional Chief Counsel, Region IX
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By   */s/ Jacob M. Mikow*
JACOB M. MIKOW
Special Assistant U.S. Attorney

Attorneys for Defendant

ORDER

IT IS SO ORDERED.

Dated: **June 2, 2010**   **/s/ Gary S. Austin**
UNITED STATES MAGISTRATE JUDGE