

1 **ROBERT ISHIKAWA - 90621**
 2 Law Offices of Robert Ishikawa
 3 5713 N. West Avenue # 101
 4 Fresno, California 93711
 5 Telephone: (559) 432-9600

6 Attorney for Rudy B. Duarte

7 **IN THE UNITED STATES DISTRICT COURT FOR THE**
 8 **EASTERN DISTRICT OF CALIFORNIA**

9 RUDY B. DUARTE,	}	1:09- CV-01767 OWW DLB
10 Plaintiff,	}	
11 v.	}	STIPULATION AND ORDER TO
12 COMMISSIONER OR SOCIAL	}	EXTEND TIME
13 SECURITY	}	
14 Defendant.	}	

15 Plaintiff has been unable to comply with the Court's standing scheduling order and
 16 therefor requests, with the assent of Shea Bond, the Special Assistant U.S. Attorney
 17 handling the case for the Commissioner, that the following schedule be set by the Court:
 18 plaintiff shall serve on defendant a confidential letter brief no later than June 7, 2010.
 19 Defendant shall have until July 7, 2010 to serve a response to the letter brief on plaintiff.
 20 In the event that the case is not remanded, plaintiff shall have until August 7, 2010 to file
 21 and serve an opening brief on defendant and the court. Defendant shall then have until
 22 September 7, 2010 to file and serve a responsive brief. Any reply brief shall be filed
 23 fifteen days after service of the responsive brief.

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 25 Dated: May 10, 2010

/s/ Robert Ishikawa

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 27 ROBERT ISHIKAWA
 28 Attorney for Plaintiff, Rudy B. Duarte

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Dated: May 10, 2010

/s/ Shea Bond

Shea Bond
Special Assistant U.S. Attorney

IT IS SO ORDERED.

Dated: May 11, 2010

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE