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

9 PATRICIA MENDEZ, } 1:09- CV-01968 LJO GSA
10 Plaintiff, }
11 v. } STIPULATION AND ORDER TO
12 COMMISSIONER OR SOCIAL } EXTEND TIME
13 SECURITY }
14 Defendant. }
15 _____

16 Plaintiff has been unable to comply with the Court's standing scheduling order and
17 therefor requests, with the assent of Shea Bond, the Special Assistant U.S. Attorney
18 handling the case for the Commissioner, that the following schedule be set by the Court:
19 plaintiff shall serve on defendant a confidential letter brief no later than July 28, 2010.
20 Defendant shall have until August 28, 2010 to serve a response to the letter brief on
21 plaintiff. In the event that the case is not remanded, plaintiff shall have until September 28,
22 2010 to file and serve an opening brief on defendant and the court. Defendant shall then
23 have until October 28, 2010 to file and serve a responsive brief. Any reply brief shall be
24 filed fifteen days after service of the responsive brief.

25 Dated: June 28, 2010 /s/ Robert Ishikawa

26 ROBERT ISHIKAWA
27 Attorney for Plaintiff, Patricia Mendez

28 ////

1 Dated: June 28, 2010

/s/ Shea Bond, by telephonic approval

2 Shea Bond
3 Special Assistant U.S. Attorney

4 **ORDER**

5 The aforementioned stipulation is **ADOPTED IN PART and DENIED IN PART**.

6 Plaintiff fails to acknowledge the fact her opening brief was to be filed with this Court no
7 later than June 15, 2010 (3/12/10 + 95 = 6/15/10). Nonetheless, Plaintiff seeks an extension of time
within which to file a confidential letter brief, and, if necessary, her opening brief, through and
including September 28, 2010.

8 This Court has the inherent power to manage its own docket. Plaintiff's request is untimely
9 by thirteen (13) days. Plaintiff is reminded that belated and/or untimely requests for extensions of
time are disfavored. *See Local Rule 144(d).*

10 In light of the foregoing, Plaintiff **SHALL serve her confidential letter brief no later than
July 12, 2010. Defendant shall respond no later than July 26, 2010. In the event Defendant
does not stipulate to remand, Plaintiff shall file her opening brief no later than August 25,
2010.** Thereafter, Defendant shall have thirty days within which to file an opposition or responsive
11 brief, and Plaintiff may file a reply fifteen days thereafter.

12 No further extensions of time will be entertained absent a showing of good cause.

13
14 IT IS SO ORDERED.

15 Dated: June 28, 2010

16 /s/ Gary S. Austin
17 UNITED STATES MAGISTRATE JUDGE