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8 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT  
 10 EASTERN DISTRICT OF CALIFORNIA

11 **FRESNO DIVISION**

12 LARRY TRUNDLE, )  
 )  
 13 Plaintiff, )  
 )  
 14 v. )  
 )  
 15 MICHAEL J. ASTRUE, )  
 Acting Commissioner of )  
 16 Social Security, )  
 )  
 17 Defendant. )  
 \_\_\_\_\_ )

CIVIL NO. 1:09-CV-02058 JLT

STIPULATION AND ORDER TO EXTEND TIME

18  
 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 an second extension of time of 21 days to respond to  
 21 Plaintiff’s Opening Brief up to and including October 15, 2010. This extension is being sought because,  
 22 after this Court granted the first extension, Counsel for the Commissioner unexpectedly missed several  
 23 days of work due to illness and was unable to complete the Commissioner’s response given her  
 24 additional workload for the time at issue, which included drafting a Ninth Circuit brief, three other  
 25 district court briefs and participating in mandatory training. Given this workload and unexpected  
 26 absences, Counsel was not able to complete the Commissioner’s response by the current due date and  
 27 respectfully requests an additional 21 days. Counsel seeks 21 days because she has to complete another  
 28

1 Ninth Circuit brief and prepare for and participate in an oral argument during the weeks of September  
2 27-October 1 and October 4-8, 2010.

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

5 Respectfully submitted,

6 */s/Sengthiene Bosavanh*

7 Dated: September 27, 2010

8 SENGTHIENE BOSAVANH  
9 (as authorized via email)  
10 Attorney at Law

11 Attorney for Plaintiff

12 Dated: September 27, 2010

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

18 By:

19 */s/ Elizabeth Firer*

20 ELIZABETH FIRER  
21 Special Assistant U.S. Attorney

22 Attorneys for Defendant

23 **ORDER**

24 IT IS SO ORDERED.

25 Dated: September 28, 2010

26 /s/ Jennifer L. Thurston  
27 UNITED STATES MAGISTRATE JUDGE  
28