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8 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT  
 10 EASTERN DISTRICT OF CALIFORNIA

11 FRESNO DIVISION

12 DONALD L. WINTON,

13 Plaintiff,

14 v.

15 MICHAEL J. ASTRUE,  
 Commissioner of  
 16 Social Security,

17 Defendant.

CIVIL NO. 1:10-cv-00468 SMS

STIPULATION AND ORDER FOR  
EXTENSION OF TIME

18 The parties hereby stipulate by counsel, with the Court's approval as indicated by issuance of the  
 19 attached Order, that Defendant shall have a FIRST extension of time of 29 days, up to and including  
 20 December 30, 2010, to respond to Plaintiff's motion for summary judgment. This request is due to a  
 21 heavy and unextendable work load and unexpected absence due to illness. Between the time Plaintiff  
 22 filed his brief on October 28, 2010, and into the second week of December, 2010, the undersigned  
 23 counsel for the Commissioner had or has to review 6 appellate briefs for her colleagues in addition to  
 24 drafting and filing her own briefs in 7 district court cases. Counsel has also had to prepare for and  
 25 participate in a hearing on an attorney fee case. She has also missed work during this time due to illness.  
 26 Counsel respectfully requests an additional 29 days in which to respond to Plaintiff's Opening Brief.

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

2 Respectfully submitted,

3 Dated: November 30, 2010

*/s/Lawrence D. Rohlfing*  
(As authorized via email)  
LAWRENCE D. ROHLFING  
Attorney for Plaintiff

6 Dated: November 30, 2010

BENJAMIN B. WAGNER  
United States Attorney  
LUCILLE GONZALES MEIS  
Regional Chief Counsel, Region IX  
Social Security Administration

*/s/ Elizabeth Firer*  
ELIZABETH FIRER  
Special Assistant U.S. Attorney

11 Attorneys for Defendant

13 ORDER

15 APPROVED AND SO ORDERED.

17 IT IS SO ORDERED.

18 Dated: December 1, 2010

*/s/ Sandra M. Snyder*  
UNITED STATES MAGISTRATE JUDGE