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7 Attorneys for Defendant

8 UNITED STATES DISTRICT COURT  
 9 EASTERN DISTRICT OF CALIFORNIA

10 FRESNO DIVISION

11 DONALD L. WINTON,

12 Plaintiff,

13 v.

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

16 Defendant.

CIVIL NO. 1:10-cv-00468 SMS

STIPULATION AND ORDER FOR  
 EXTENSION OF TIME TO RESPOND TO  
 PLAINTIFF'S OPENING BRIEF

17 \_\_\_\_\_ )  
 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 SECOND extension of time of 14 days, up to and including  
 20 January 13, 2010, to respond to Plaintiff's Opening Brief. This request is due to an unexpected increase  
 21 in work in the undersigned counsel for the Commissioner's work load. Counsel had to participate in a  
 22 possible appeal recommendation from December 22 and December 30, 2010 – a process which has  
 23 unextendable deadlines and requires coordination with the Commissioner's headquarters where people  
 24 have been intermittently available due to the holidays. During the first week of January, Counsel has 4  
 25 district court briefs due and must complete an appellate brief. Counsel respectfully requests an  
 26 additional 14 days in which to complete the Commissioner's response 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: December 30, 2010

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

6 Dated: December 30, 2010

BENJAMIN B. WAGNER  
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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 DATED: 12/30/2010

/s/ SANDRA M. SNYDER  
SANDRA M. SNYDER  
UNITED STATES MAGISTRATE JUDGE