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7 Attorneys for Defendant

8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

10 FRESNO DIVISION

11 CLIFFORD ALAN SWORTFIGUER,)
 12 Plaintiff,)
 13 v.)
 14 MICHAEL J. ASTRUE,)
 15 Commissioner of)
 Social Security,)
 16 Defendant.)

CASE NO.: C1:10-CV-01835 BAM

STIPULATION AND ORDER
 FOR A SECOND EXTENSION FOR
 DEFENDANT TO FILE NOTICE, MOTION,
 AND MEMORANDUM IN SUPPORT OF
 CROSS-MOTION FOR SUMMARY
 JUDGMENT AND IN OPPOSITION TO
 PLAINTIFF'S MOTION FOR SUMMARY
 JUDGMENT

18 IT IS HEREBY STIPULATED, by and between the undersigned attorneys, subject to the approval
 19 of the Court, that Defendant shall have a 30-day extension, or until January 27, 2012, in which to file his
 20 Notice, Motion, and Memorandum in Support of Cross-Motion for Summary Judgment and in
 21 Opposition to Plaintiff's Motion for Summary Judgment.

22 The undersigned counsel for the Defendant requires an extension as a result of a heavy briefing
 23 schedule, which includes six dispositive motions due through the end of the month in the following matters,
 24 in addition to the Defendant's motion in the above-captioned matter: *Poole v. Astrue*, EDCA 2:11-912;
 25 *Gonzales v. Astrue*, EDCA 2:10-3412; *Battle v. Astrue*, SDCA 11-829; *Lopez v. Astrue*, EDCA 1:11-310;
 26 *Marsh v. Astrue*, NDCA, 3:11-2096; and *Eckard v. Astrue*, EDCA, 1:11-516. In addition, the undersigned
 27 counsel for the Defendant has a family vacation to Chicago planned for the last week of December.
 28 Defendant respectfully requests an additional 30-day period in which to complete his briefing.

This is Defendant's third request for an extension of time in this matter.

Respectfully submitted,

1 Dated: November 28, 2011

/s/ Bess Brewer
(as authorized via e-mail)
BESS BREWER
Attorney for Plaintiff

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5 BENJAMIN WAGNER
United States Attorney

6 Dated: November 28, 2011

7 By /s/ Elizabeth Barry
ELIZABETH BARRY
Special Assistant U.S. Attorney
Attorneys for Defendant

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10 ORDER

11 Pursuant to the stipulation, Defendant shall file its opposition brief/motion for summary judgment
12 no later than **January 27, 2012**. Defendant is advised that requests for further extensions will be looked
13 upon with disfavor.

14 IT IS SO ORDERED.

15 **Dated: December 19, 2011**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE