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8 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA
 10
 11 **FRESNO DIVISION**

12 ANGELIC RENEE PALLES,)
)
 13 Plaintiff,)
)
 14 v.)
)
 15 CAROLYN W. COLVIN,)
 Acting Commissioner of)
 16 Social Security,)
)
 17 Defendant.)
 _____)

CIVIL NO. 1:13-CV-01813 SMS

EX PARTE APPLICATION FOR LEAVE TO FILE LATE PLEADING; ORDER THEREON

18
19 TO THE HONORABLE SANDRA M. SNYDER, UNITED STATES MAGISTRATE JUDGE:

20 Defendant, Commissioner of Social Security, files this application to file her Reply to Plaintiff's
 21 Response to the Commissioner's Motion to Alter or Amend Judgment Pursuant to Federal Rule of Civil
 22 Procedure 59(e) one day late. Per this Court's January 9, 2015 Order, the Commissioner's Reply was due
 23 on January 29, 2015. The undersigned counsel for the Commissioner, however, inadvertently calendared
 24 the Reply for January 30, 2015. Counsel fully intended to take advantage of the Court's Order allowing a
 25 Reply, drafted it and was ready to file it when she noticed she had made a mistake identifying the due date.
 26 Counsel sincerely apologizes for her mistake and respectfully requests that the Court accept her pleading
 27 one day late.
 28

1 Counsel contacted Plaintiff's attorneys by email on January 30, 2015 to ask they objected to this
2 request. Plaintiff's attorney asserted that since Plaintiff suffers no prejudice, she takes no position on
3 whether the Court should grant or deny this request. The undersigned Counsel will file the Reply
4 simultaneously in order to avoid any further delay and respectfully requests that this application be granted.
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6 Dated: January 30, 2015

Respectfully submitted,

7 BENJAMIN B. WAGNER
8 United States Attorney
9 DONNA L. CALVERT
10 Regional Chief Counsel, Region IX
11 Social Security Administration

12 By:

/s/ Elizabeth Firer

13 _____
14 ELIZABETH FIRER
15 Special Assistant U.S. Attorney

16 Attorneys for Defendant

17 **ORDER**

18 APPROVED AND SO ORDERED.

19 DATED: 1/30/2015

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