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8 Attorney for Plaintiff

9 UNITED STATES DISTRICT COURT  
10 EASTERN DISTRICT OF CALIFORNIA  
11 FRENZO DIVISION

12 STEVEN PIERCE, 13 Plaintiff, 14 vs. 15 COMMISSIONER OF SOCIAL SECURITY, 16 Defendant.	17 Case # 1:14-CV-01687-BAM 18 ORDER GRANTING PLAINTIFF'S 19 REQUEST FOR AN EXTENSION OF TIME 20 NUNC PRO TUNC
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21 The parties hereby stipulate by counsel, with the Court's approval as indicated by  
22 issuance of the attached Order, that Plaintiff shall have a second extension of time to file  
23 Plaintiff's confidential memo.

24 Counsel for the Plaintiff was out of country with limited email access and relied upon  
25 another attorney to send the confidential memo on her behalf. Opposing counsel informed us  
26 that she did not receive it. Counsel sent the confidential memo to opposing counsel after she was  
27 informed of this. Parties stipulate that the service of the confidential memo on July 17, 2015 was  
28 timely.

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

2 Dated July 17, 2015:

/s/ Kelsey M Brown

KELSEY MACKENZIE BROWN CA #263109

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PO Box 3757

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Attorney for Plaintiff

6 Dated July 17, 2015:

s/ KELSEY M. BROWN for Sharon Lahey

Marla Letellier on behalf of SHARON LAHEY

(per e-mail authorization)

Special Assistant U.S. Attorney

Office of the General Counsel

Of Attorneys for Defendant

10 **ORDER**

11 On August 18, 2015, Plaintiff filed a stipulation for a second extension of time to serve  
12 his confidential letter brief nunc pro tunc. (Doc. 12.) Plaintiff asserts that at the time the  
13 confidential letter brief was due he was out of the country with limited email access, and as a  
14 result, counsel missed the May 30, 2015, due date. (Doc. 12.) However, Plaintiff sent the  
15 confidential brief to Defendant on July 17, 2015.

16 Based upon the stipulation of the parties, IT IS HEREBY ORDERED that Plaintiff's  
17 motion shall be granted nunc pro tunc and Plaintiff's confidential letter brief, filed July 17, 2015,  
18 shall be deemed timely. All other deadlines set forth in the October 29, 2014, Case Management  
19 Order are modified accordingly. (Doc. 6.)

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21 IT IS SO ORDERED.

22 Dated: August 19, 2015

/s/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE

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