| 1<br>2<br>3<br>4 | ROCKWELL, KELLY & DUARTE, LLP<br>By: Jeffrey R. Duarte<br>State Bar No 186190<br>P.O. Box 0142<br>Modesto, CA 95353<br>Phone (209) 521-2552<br>Fax: (209) 526-7898 |   |
|------------------|--|---|
| 5                | Attorneys for Plaintiff  |   |
| 6                |  |   |
| 7                |  |   |
| 8                | UNITED STATES DISTRICT COURT   |   |
| 9                | EASTERN DISTRICT OF CALIFORNIA   |   |
| 10               |  | C N 1.15 CV 00750 FDC                   |
| 11               | RANDY DAVISSON,  | Case No.: 1:15-CV-00758-EPG             |
| 12               | Plaintiff,   | STIPULATION AND ORDER<br>TO EXTEND TIME |
| 13               | vs.  |   |
| 14               | COMMISSIONER OF SOCIAL SECURITY,   |   |
| 15               | Defendant )  |   |
| 16               |  |   |
| 17               | IT IS HEREBY STIPULATED by and between the parties, subject to the approval of the   |   |
| 18               | Court, to extend the time by 30 days, to December 29, 2015, for plaintiff to serve plaintiff's letter  |   |
| 19               | brief on the defendant.  |   |
| 20               | The parties further stipulate that the Court's Scheduling Order shall be modified  |   |
| 21               | accordingly  |   |
| 22               | ///  |   |
| 23               | <br> ///   |   |
| 24               | <br> ///   |   |
| 25               | <br> ///   |   |
|                  |  |   |

| 1      | Plaintiff's attorney has a scheduled vacation from 11/29 to 12/7/15, and needs additional  |   |
|--------|--|---|
| 2      | time to further review the file and prepare the letter brief.  |   |
| 3      |  | Respectfully submitted,                               |
| 4      | Dated: November 13, 2015   | By: /s/ Jeffrey R. Duarte                             |
| 5      |  | Jeffrey R. Duarte Attorney for Plaintiff              |
| 6<br>7 | Dated: November 13, 2015   | Benjamin Wagner<br>United States Attorney             |
| 8      |  | By: /s/ Michael K. Marriott (As authorized via email) |
| 9      |  | Michael K. Marriott Attorney for Defendant            |
| 10     |  |   |
| 11     |  | <u>ORDER</u>  |
| 12     | Based on the above stipulation of the parties, and for good cause shown, IT IS HEREBY ORDERED that Plaintiff shall have an extension of time, up to and including December 29, |   |
| 13     |  |   |
| 14     | 2015, to serve his confidential letter brief on Defendant. All other deadlines set forth in the  |   |
| 15     | Scheduling Order (ECF No. 5) are modified accordingly.   |   |
| 16     |  |   |
| 17     | IT IS SO ORDERED.  |   |
| 18     | Dated: <b>November 16, 2015</b>  | 18/ Encir P. Gron                                     |
| 19     |  | UNITED STATES MAGISTRATE JUDGE                        |
| 20     |  |   |
| 21     |  |   |
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