

1 BESS M. BREWER, #100364
 LAW OFFICE OF
 2 BESS M. BREWER & ASSOCIATES
 P.O. Box 5088
 3 Sacramento, CA 95817
 Telephone: (916) 454-3111
 4 Facsimile: (916) 454-3131
 5 Attorneys for Plaintiff

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 8 **IN THE UNITED STATES DISTRICT COURT**
 9 **EASTERN DISTRICT OF CALIFORNIA**
 10

11 **SIMONE N. BLACKWELL**)

Case No. CIV-08-1454 EFB

12 **Plaintiff,**)

**STIPULATION AND ORDER
 EXTENDING PLAINTIFF'S TIME TO
 FILE MEMORANDUM IN SUPPORT
 OF SUMMARY JUDGMENT**

13 **v.**)

14 **MICHAEL J. ASTRUE**)
 15 **Commissioner of Social Security**)
 16 **of the United States of America,**)

17 **Defendant.**)
 18 _____)

19 IT IS HEREBY STIPULATED by and between the parties, through their attorneys, and with
 20 the permission of the Court as evidenced below, that the Plaintiff's time to file the summary judgment
 21 in this case is hereby extended until April 8, 2009. Plaintiff's summary judgment motion was due
 22 March 24, 2009, however, due to plaintiff's counsel's illness did not get filed. *See* Declaration of
 23 Counsel set forth below.

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1 Dated: April 1, 2009

/s/Bess M. Brewer
BESS M. BREWER
Attorney at Law

3 Attorney for Plaintiff

5 Dated: April 2, 2009

6 Lawrence G. Brown
Acting United States Attorney

7 /s/ Sarah Ryan
8 SARAH RYAN

9 Special Assistant U.S. Attorney
10 Social Security Administration

11 Attorney for Defendant

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13 **DECLARATION OF BESS M. BREWER**

14 1. I represent Ms. Blackwell in Case No. CIV-08-1454 EFB pending in this court and
15 submit this declaration in support of plaintiff's stipulated request for an extension of time to file her
16 motion for summary judgment.

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18 2. Plaintiff's summary judgment motion was due March 24, 2009. In addition to an
19 already crowded briefing schedule, I have been fighting off a bronchial infection for the past two
20 weeks and operating at only 10-25% of my normal capacity. Consequently, I fell behind in my work
21 and was not able to complete Ms. Blackwell's summary judgment motion as scheduled.

22 3. I need until Monday, April 6, 2009, within which to complete Ms. Hardy's summary
23 judgment motion and will not request additional time. I apologize for straining the court's patience
24 with my requests for more time and will try to be more realistic in my requests.

25 Dated: April 1, 2009

/s/Bess M. Brewer
26 BESS M. BREWER
27 Attorney at Law

28 Attorney for Plaintiff

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Dated: April 1, 2009


Lawrence G. Brown
United States Attorney
/s/ Amita Baman Tracy
AMITA BAMAN TRACY
Special Assistant U.S. Attorney
Social Security Administration

Attorney for Defendant

ORDER

APPROVED AND SO ORDERED.

DATED: April 13, 2009.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE