

LAWRENCE G. BROWN
United States Attorney
LUCILLE GONZALES MEIS
Regional Chief Counsel, Region IX
Social Security Administration
ELIZABETH FIRER
Special Assistant United States Attorney

333 Market Street, Suite 1500
San Francisco, California 94105
Telephone: (415) 977-8943
Facsimile: (415) 744-0134
E-Mail: Elizabeth.Firer@ssa.gov

Attorneys for Defendant

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SACRAMENTO DIVISION

DONNA COOPER,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of
Social Security,

Defendant.

CIVIL NO. 2:08-CV-01859-KJM

STIPULATION AND ORDER

The parties hereby stipulate by counsel, with the Court's approval as indicated by issuance of the attached Order, that Defendant shall have a SECOND extension of time of 34 days, up to and including September 18, 2009, to respond to Plaintiff's motion for summary judgment. This request is due to an inadvertent calendaring error. The Commissioner had been previously granted an extension until August 15, 2009. Unfortunately, the undersigned attorney for the Commissioner did not properly re-calendar the due date. In the past several months, the undersigned attorney for the Commissioner has experienced an extremely heavy work load due to the departure or extended absence of 8 senior attorneys in the Commissioner's office and a massive reassigning of cases. During this time period, the case tracking system used by the Commissioner was unreliable due to a nationwide overhaul. In this confusion, the undersigned attorney for the Commissioner did not notice that this brief had not been completed and

1 filed. Most of the senior attorneys who had been on leave have returned, and 8 attorneys have been hired
2 so the heavy individual work loads in the Commissioner's regional office should diminish in the near
3 future; thus reducing the need for extensions.

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

5 Respectfully submitted,

6 Dated: September 8, 2009

/s/ Bess Brewer
(As authorized via email)
BESS BREWER
Attorney for Plaintiff

9 Dated: September 8, 2009

LAWRENCE G. BROWN
United States Attorney
LUCILLE GONZALES MEIS
Regional Chief Counsel, Region IX
Social Security Administration

/s/ Elizabeth Firer
ELIZABETH FIRER
Special Assistant U.S. Attorney

Attorneys for Defendant

16 ORDER

17 APPROVED AND SO ORDERED.

19 DATED: September 8, 2009.

20
21 
22 _____
U.S. MAGISTRATE JUDGE
23
24
25
26
27
28