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

10 **ANGEL MARIE HUTSLER**)
 11)
 12)

Case No. CIV-08-1942 KJM

13 **Plaintiff,**)

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

14 **v.**)

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

17 **Defendant.**)
 18)

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

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1 Dated: April 3, 2009

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

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3 Attorney for Plaintiff

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5 Dated: April 3, 2009

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McGregor W. Scott
United States Attorney

/s/ Odell Grooms
ODELL GROOMS

Special Assistant U.S. Attorney
Social Security Administration

Attorney for Defendant

DECLARATION OF BESS M. BREWER

1. I represent Ms. Hustler in the above referenced case pending in this court and submit this declaration in support of plaintiff's stipulated request for an extension of time to file her motion for summary judgment.

2. Plaintiff's summary judgment motion was due March 23, 2009. In addition to an already crowded briefing schedule, I have been fighting off a bronchial infection for the past two weeks and operating at only 10-25% of my normal capacity. Consequently, I fell behind in my work and was not able to complete Ms. Hustler's summary judgment motion as scheduled.

3. I need until April 20, 2009, within which to complete Ms. Hardy's summary judgment motion and will not request additional time. I apologize for straining the court's patience with my requests for more time.

ORDER

APPROVED AND SO ORDERED.

DATED: April 14, 2009.


U.S. MAGISTRATE JUDGE