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13 Attorneys for Defendant

14 UNITED STATES DISTRICT COURT  
15 EASTERN DISTRICT OF CALIFORNIA

16 **SACRAMENTO DIVISION**

17 SAMMIE D. HERNANDEZ, ) CIVIL NO. 2:08-CV-2408-CMK  
18 Plaintiff, )  
19 v. ) STIPULATION AND ORDER TO  
20 MICHAEL J. ASTRUE, ) EXTEND TIME  
21 Commissioner of )  
22 Social Security, )  
23 Defendant. )  
24 \_\_\_\_\_ )

25 The parties hereby stipulate by counsel, with the Court's  
26 approval as indicated by issuance of the attached Order, that  
27 Defendant shall have a second extension of time of 30 days, up to and  
28 including October 7, 2009, to respond to Plaintiff's motion for  
summary judgment, so that the parties may further explore the  
possibility of settlement.

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Respectfully submitted,

Dated: September 4, 2009

/s/ Bess M. Brewer  
(As authorized via e-mail)  
BESS M. BREWER  
Attorney for Plaintiff

Dated: September 4, 2009

LAWRENCE G. BROWN  
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LUCILLE GONZALES MEIS  
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/s/ Mark A. Win  
MARK A. WIN  
Special Assistant U.S. Attorney

## ORDER

APPROVED AND SO ORDERED.

DATED: September 9, 2009

Craig M. Kellison  
**CRAIG M. KELLISON**  
UNITED STATES MAGISTRATE JUDGE