

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

5 333 Market Street, Suite 1500
 San Francisco, California 94105
 6 Telephone: (415) 977-8937
 Facsimile: (415) 744-0134
 7 E-Mail: Elizabeth.Firer@ssa.gov

8 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA
 10 SACRAMENTO DIVISION

11 VINCENT BRAGDON,)
)
 12 Plaintiff,)
)
 13 v.)
)
 14 MICHAEL J. ASTRUE,)
)
 15 Commissioner of)
 Social Security,)
)
 16 Defendant.)
)
 17 _____)

CIVIL NO. 2:08-CV-02705 EFB

STIPULATION AND ORDER

18 The parties hereby stipulate by counsel, with the Court’s approval as indicated by issuance of the
 19 attached Order, that Defendant shall have a FIRST extension of 30-days to respond to Plaintiff’s motion
 20 for summary judgment. The current due date was August 24, 2009, the new due date will be September
 21 23, 2009.

22 The extension is necessary because the Special Assistant United States Attorney for the
 23 Commissioner has experience an unusually heavy work load for the months of July and August she has
 24 been responsible for briefing in approximately 25 district court cases, an appellate case and she has been
 25 responsible for drafting the Commissioner’s recommendation for a writ of certiorari in Vasquez v.
 26 Astrue, 547 F.3d 1101 (9th Cir. 2008) after the July 9, 2009, decision of the Ninth Circuit declining en
 27 banc review.. The undersigned attorney for the Commissioner’s heavy schedule has been occasioned by
 28 staffing shortages in the Commissioner’s regional office. The Commissioner’s Office of Regional Chief

1 Counsel recently experienced sudden departures of five senior attorneys, two of whom accepted
2 positions as administrative law judges, which provided only a short time between the offer dates and
3 starting dates. During this time, another senior attorney was on extended emergency medical leave and
4 all of her cases had to be reassigned to a small number of attorneys who handle cases in her jurisdictions
5 including the undersigned attorney for the Commissioner. The shortage of remaining attorneys able to
6 readily brief cases has eliminated reassigning cases as a method of avoiding extensions.

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

8 Respectfully submitted,

9 Dated: August 28, 2009

10 /s/ Henry Reynolds
11 (As authorized via email on August 27, 2009)
HENRY REYNOLDS
Attorney for Plaintiff

12 Dated: August 28, 2009

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

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

17 Attorneys for Defendant

18
19 ORDER

20 APPROVED AND SO ORDERED.

21 DATED: August 31, 2009.

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23 EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE
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