

1 BENJAMIN B. WAGNER  
 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  
 11 **SACRAMENTO DIVISION**

12 CRAIG HEALY, )  
 )  
 13 Plaintiff, )  
 )  
 14 v. )  
 )  
 15 MICHAEL J. ASTRUE, )  
 Commissioner of )  
 16 Social Security, )  
 )  
 17 Defendant. )  
 )

CIVIL NO. 2:09-CV-01378 CMK

STIPULATION AND ~~PROPOSED~~ ORDER

18  
 19 The parties hereby stipulate by counsel, with the Court's approval as indicated by issuance of the  
 20 attached Order, that Defendant shall have a THIRD extension of time of 6 days, up to and including  
 21 August 31, 2010, to respond to Plaintiff's motion for summary judgment. This request is being made  
 22 because, counsel for the Commissioner mis-calendered her response following this Court's grant of a 14  
 23 day extension to August 25, 2010. Counsel is personally responsible for calendaring all of her filings in  
 24 all of her cases in 6 federal districts plus the Ninth Circuit Court of Appeals. She must also manage all  
 25 of her non-court workload, which includes scheduling meetings with other attorneys in conjunction with  
 26 voluntary remand review and review of appellate briefs. Given the volume of these tasks and the fact  
 27 that she has no support staff assistance, Counsel sometimes commits error. Staff from the United States  
 28 Attorney's Office noticed that the due date had passed and contacted Counsel at which time, Counsel

1 noticed her calendaring error. Counsel apologizes for any inconvenience and respectfully requests an  
2 additional 6 days in which to file the Commissioner's brief.

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

4 Respectfully submitted,

5 Dated: August 30, 2010

6 /s/ Bess Brewer  
7 (As authorized via email)  
8 BESS BREWER  
9 Attorney for Plaintiff

10 Dated: August 30, 2010

11 BENJAMIN B. WAGNER  
12 United States Attorney  
13 LUCILLE GONZALES MEIS  
14 Regional Chief Counsel, Region IX  
15 Social Security Administration

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

19 Attorneys for Defendant

20 ORDER

21 APPROVED AND SO ORDERED.

22 DATED: August 31, 2010

23   
24 CRAIG M. KELLISON  
25 UNITED STATES MAGISTRATE JUDGE  
26  
27  
28