

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
 10 EASTERN DISTRICT OF CALIFORNIA

11 SACRAMENTO DIVISION

12 JOHN JOHNSON,

13 Plaintiff,

14 v.

15 MICHAEL J. ASTRUE,
 Commissioner of
 16 Social Security,

17 Defendant.

CIVIL NO. 2:09-CV-03395 CMK

STIPULATION AND 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 FIRST extension of time of 35 days, up to and including
 21 December 29, 2010, to respond to Plaintiff's motion for summary judgment. This request is being made
 22 because, counsel for the Commissioner overlooked the ECF notification of Plaintiff's Motion for
 23 Summary Judgment on October 25, 2010. Counsel became aware of her error when notified by the U.S.
 24 Attorney's Office on December 13, 2010. Counsel currently has 6 other district court briefs due by
 25 December 23, 2010 and she must draft a Ninth Circuit brief as well. Given this work and the Federal
 26 holiday on December 24, 2010, Counsel respectfully requests 35 days in which to file the
 27 Commissioner's Response to Plaintiff's Motion.

28 ///

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

2 Respectfully submitted,

3 Dated: December 13, 2010

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

6 Dated: December 13, 2010

BENJAMIN B. WAGNER
United States Attorney
LUCILLE GONZALES MEIS
Regional Chief Counsel, Region IX
Social Security Administration

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

11 Attorneys for Defendant

13 ORDER

14 APPROVED AND SO ORDERED.

17 DATED: December 13, 2010

18 
19 CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE