

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 NOEMI LIM,)
)
 13 Plaintiff,)
)
 14 v.)
)
 15 MICHAEL J. ASTRUE,)
 Commissioner of)
 16 Social Security,)
)
 17 Defendant.)
 _____)

CIVIL NO. 2:10-CV-00958 KJM
 STIPULATION FOR EXTENSION OF TIME
 AND ORDER

18
 19
 20 The parties hereby stipulate by counsel, with the Court’s approval as indicated by issuance of the
 21 attached Order, that Defendant shall have an extension of time until November 5, 2010 in which to respond
 22 to Plaintiff’s motion for summary judgment. On October 18, 2010, the undersigned Counsel for the
 23 Commissioner filed an ex parte motion for an extension of time up to and including November 17, 2010.
 24 On November 1, 2010, this Court denied, without prejudice, Counsel’s motion because Counsel had not
 25 explained why the motion was filed ex parte.

26 Counsel inadvertently failed to explain that she had asked opposing counsel, via email, if there was
 27 any objection to the extension request, but had not received a response by the time of the original due date
 28 and, therefore, filed the motion ex parte. Counsel apologizes to the Court for the inconvenience. Upon
 receiving the Court’s denial, Counsel for the Commissioner called Plaintiff’s Counsel and spoke with one

1 of her partners. Counsel for the Commissioner explained what had happened and noted that the
2 Commissioner's brief is being completed by a new attorney in the Commissioner's San Francisco office and
3 that said brief is almost complete. The parties then agreed to a stipulation of time until Friday, November
4 5, 2010 for the Commissioner to file his response to Plaintiff's motion for summary judgment.

5
6 Respectfully submitted,

7 Dated: November 1, 2010

/s/Ann M. Cerney
(as authorized via telephone by Attorney Langley Kreuze)
Attorney at Law

8
9 Attorney for Plaintiff

10
11 Dated: November 1, 2010

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

12
13
14
15 */s/Elizabeth Firer*
ELIZABETH FIRER
Special Assistant U.S. Attorney

16 Attorneys for Defendant

17
18 ORDER

19
20 APPROVED AND SO ORDERED.

21
22 DATED: November 3, 2010.

23
24
25 
U.S. MAGISTRATE JUDGE