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 8 **IN THE UNITED STATES DISTRICT COURT**  
 9 **EASTERN DISTRICT OF CALIFORNIA**  
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11	<b>BRIAN BELL</b>	)	<b>CASE NO. CIV-10-1137 KJN</b>
12		)	
13	<b>Plaintiff,</b>	)	<b><del>{PROPOSED}</del> STIPULATION AND ORDER</b>
14	<b>v.</b>	)	<b>EXTENDING PLAINTIFF'S TIME TO</b>
15	<b>MICHAEL J. ASTRUE</b>	)	<b>FILE MEMORANDUM IN SUPPORT</b>
16	<b>Commissioner of Social Security</b>	)	<b>OF SUMMARY JUDGMENT</b>
17	<b>of the United States of America,</b>	)	
18	<b>Defendant.</b>	)	

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 20 IT IS HEREBY STIPULATED by and between the parties, through their attorneys, and with the  
 21 permission of the Court as evidenced below, that the Plaintiff's time to file the summary judgment in  
 22 this case is hereby extended from December 10, 2010, to December 15, 2010. This extension is required  
 23 due to Plaintiff's counsel's impacted briefing schedule.

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Dated: December 10, 2010

/s/Bess M. Brewer  
BESS M. BREWER  
Attorney at Law

Attorney for Plaintiff

Dated: December 13, 2010

Benjamin B. Wagner  
United States Attorney

/s/ Leslie Alexander  
LESLIE ALEXANDER

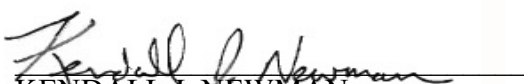
Special Assistant U.S. Attorney  
Attorneys for Defendant

**ORDER**

The parties' stipulation IS HEREBY APPROVED, and plaintiff shall have until December 15, 2010, to file a motion for summary judgment.<sup>1</sup> The scheduling order in this case shall be amended accordingly.

IT IS SO ORDERED.

DATED: December 13, 2010

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> The undersigned notes that plaintiff filed this stipulation and proposed order three days *after* the date that plaintiff was obligated to file a motion for summary judgment. Plaintiff's counsel is admonished that, pursuant to Eastern District Local Rule 144(d), "[c]ounsel shall seek to obtain a necessary extension from the Court or from other counsel or parties in an action as soon as the need for an extension becomes apparent," and that requests for court-approved extensions brought on or after the required filing date "are looked upon with disfavor."