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8 Attorneys for Defendant

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

12 STELLA CARTER, )  
 )  
 13 Plaintiff, )  
 )  
 14 v. )  
 )  
 15 MICHAEL J. ASTRUE, )  
 Commissioner of )  
 16 Social Security, )  
 )  
 17 Defendant. )  
 \_\_\_\_\_ )

CIVIL NO. 2:10-cv-01949 GGH (TEMP)

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 16 days to respond to Plaintiff’s motion  
 21 for summary judgment. The current due date is August 10, 2011, the new due date will be August 26, 2011.

22 This extension is being sought because between the time this Court granted the Commissioner’s  
 23 previous extension and August 10, 2011, the undersigned counsel for the Commissioner had to draft two  
 24 Ninth Circuit briefs, which had already been extended, conduct an office-wide appellate briefing training  
 25 – the timing of which had been moved without much notice, and review four other appellate briefs for her  
 26 colleagues – work that requires takes up to 30 hours to complete and cannot be easily extended or shifted  
 27 to other attorneys. Additionally, Counsel had unexpected difficulties attempting to remand another case with  
 28 the Appeals Council and that work could not be moved. Given these circumstances, Counsel was not able

1 to complete the Commissioner's response by the current due date and respectfully requests an additional 16  
2 days.

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

4 Respectfully submitted,

5 Dated: August 10, 2011

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

8 Dated: August 10, 2011

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

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

14 Attorneys for Defendant

15 ORDER

16 The undersigned previously ordered that no further extensions would be approved. Evidently, that  
17 part of the order was not viewed seriously, as such things like in-office training took precedence over the  
18 order. The undersigned will approve this request for extension, but will not approve, or consider further  
19 requests. Failure to file a timely response will result in the striking of the answer. The opposition/cross-  
20 motion shall be filed by August 26, 2011.

20 DATED: August 17, 2011

21 /s/ Gregory G. Hollows  
22 \_\_\_\_\_  
23 UNITED STATES MAGISTRATE JUDGE  
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