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8 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT
 10 EASTERN DISTRICT OF CALIFORNIA

11 SACRAMENTO DIVISION

12 TERRY HIRSCHY,

13 Plaintiff,

14 v.

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

17 Defendant.

CIVIL NO. 2:10-cv-02520 CMK

STIPULATION AND ORDER

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 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 30 days to respond to Plaintiff's motion for
 21 summary judgment. The current due date is May 4, 2011, the new due date will be June 3, 2011.

22 The extension is being sought because, on March 18, 2011, the undersigned counsel for the
 23 Commissioner underwent two separate surgeries. Counsel did not return to the office until April 7, 2011
 24 and, due to unexpected complications, she has not yet been able to complete a full work week. Between the
 25 time Plaintiff filed his motion and May 4, 2011, Counsel has had to brief six district court cases, four of
 26 which had already been extended due to her pending medical leave. Moreover, during this time, Counsel
 27 also had to engage in emergency preparation for a potential shutdown of the federal government, work that
 28 could not be avoided and which significantly cut into the time available for briefing cases. Due to this set

1 of circumstances, Counsel was unable to complete the Commissioner's brief by May 4, 2011 and
2 respectfully requests an additional 30 days.

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

4 Respectfully submitted,

5 Dated: May 3, 2011

6 /s/ Joseph C. Fraulob
7 (As authorized via telephone)
8 JOSEPH C. FRAULOB
9 Attorney for Plaintiff

10 Dated: May 3, 2011

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: May 5, 2011

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