

1 BESS M. BREWER, #100364
 LAW OFFICE OF
 2 BESS M. BREWER & ASSOCIATES
 P.O. Box 5088
 3 Sacramento, CA 95817
 Telephone: (916) 509-7051
 4

5 Attorneys for Plaintiff

6
 7
 8 **IN THE UNITED STATES DISTRICT COURT**
 9 **EASTERN DISTRICT OF CALIFORNIA**
 10

11 **KATHY LAUGHLIN**

13 **Plaintiff,**

14 **v.**

15 **MICHAEL J. ASTRUE**
 16 **Commissioner of Social Security**
of the United States of America,

17 **Defendant.**

CASE NO. 2:10-CV-03179-CMK

12)
 13)
 14)
 15)
 16)
 17)
 18)
 19)

**STIPULATION AND PROPOSED
 ORDER EXTENDING PLAINTIFF'S
 TIME TO FILE SUMMARY
 JUDGEMENT MOTION AND
 DECLARATION OF COUNSEL**

20 IT IS HEREBY STIPULATED by and between the parties, through their attorneys, that the
 21 Plaintiff's time to file his summary judgment is hereby extended to October 14, 2011. Plaintiff's brief
 22 was last due September 8, 2011, but was not timely filed due to counsel's inadvertent failure to calendar
 23 the date the motion was due. *See*, Declaration of Bess M. Brewer. This extension is required due to
 24 counsel's oversight and impacted briefing schedule.

26 ////

27 ////

28 ////

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: September 29, 2011

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

Attorney for Plaintiff

Dated: September 29, 2011

Benjamin B. Wagner

United States Attorney

/s/ Peter Thompson
PETER THOMPSON

Special Assistant United States Attorney
Attorneys for Defendant

DECLARATION

1. I represent the plaintiff in the above referenced case pending in this court and submit this declaration in support of plaintiff's stipulated request for an extension of time to file her motion for summary judgment.

2. Plaintiff's brief was due September 8, 2011. Unfortunately, I failed to calendar the date. This oversight was just brought to my attention and I apologize for my failure to properly calendar the date.

3. Given my briefing schedule, I can't realistically file Ms. Laughlin's brief until October 14, 2011. I do not want to promise an earlier date that I can't meet.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge, and that this declaration was executed on September 29, 2011, in Sacramento, California.

/s/Bess M. Brewer

BESS M. BREWER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

APPROVED AND SO ORDERED.

DATED: October 5, 2011



CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE