

1 BENJAMIN WAGNER CSBN 163581  
 United States Attorney  
 2 DONNA L. CALVERT SBN IL 619786  
 Acting Regional Chief Counsel, Region IX  
 3 Social Security Administration  
 ELIZABETH BARRY CSBN 203314  
 4 Special Assistant United States Attorney  
 5 333 Market Street, Suite 1500  
 San Francisco, California 94105  
 6 Telephone: (415) 977-8972  
 Facsimile: (415) 744-0134  
 7 Email: Elizabeth.Barry@ssa.gov

8 Attorneys for Defendant

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

12 VAN DUONG, )  
 13 Plaintiff, )  
 14 v. )  
 15 COMMISSIONER OF )  
 SOCIAL SECURITY, )  
 16 Defendant. )  
 17 )  
 18 \_\_\_\_\_ )

Case No. CIV-2:11-cv-00347 KJN  
 STIPULATION AND ~~PROPOSED~~ ORDER  
 FOR A FIRST EXTENSION FOR  
 DEFENDANT TO FILE NOTICE, MOTION,  
 AND MEMORANDUM IN SUPPORT OF  
 CROSS-MOTION FOR SUMMARY  
 JUDGMENT AND IN OPPOSITION TO  
 PLAINTIFF'S MOTION FOR SUMMARY  
 JUDGMENT

19 IT IS HEREBY STIPULATED, by and between the undersigned attorneys, subject to the approval  
 20 of the Court, that Defendant shall have a 30-day extension, or until January 3, 2011, in which to file his  
 21 Notice, Motion, and Memorandum in Support of Cross-Motion for Summary Judgment and in  
 22 Opposition to Plaintiff's Motion for Summary Judgment.

23 This is Defendant's first request for an extension of time in this matter.

24 Respectfully submitted,  
 25 Dated: December 1, 2011 /s/ Bess M. Brewer  
 26 (as authorized via e-mail)  
 27 BESS M. BREWER  
 Attorney for Plaintiff

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BENJAMIN WAGNER  
United States Attorney

Dated: December 1, 2011


By /s/ Elizabeth Barry  
ELIZABETH BARRY  
Special Assistant U.S. Attorney  
Attorneys for Defendant

ORDER

The parties' stipulation (Dkt. No. 19) is HEREBY APPROVED. Defendant shall have until January 3, 2012, to respond to plaintiff's motion for summary judgment. The court's scheduling order is modified accordingly.

IT IS SO ORDERED.

DATED: December 2, 2011

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE