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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 SECOND 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 February 2, 2012, 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 second request for an extension of time in this matter.

24 Respectfully submitted,

25 Dated: January 3, 2012

26 /s/ Bess M. Brewer  
 (as authorized via e-mail)  
 BESS M. BREWER  
 27 Attorney for Plaintiff  
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BENJAMIN WAGNER  
United States Attorney

Dated: January 3, 2012


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

ORDER

The parties' stipulation (Dkt. No. 21) is HEREBY APPROVED. Defendant shall have until February 2, 2012, to respond to plaintiff's motion for summary judgment. The court's scheduling order is modified accordingly.

IT IS SO ORDERED.

DATED: January 3, 2012

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE