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8 Attorneys for Defendant

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

13 RHONDA KLEV, )  
 )  
 14 Plaintiff, )  
 )  
 15 v. )  
 )  
 16 MICHAEL J. ASTRUE, )  
 Commissioner of Social Security, )  
 17 Defendant. )  
 18 \_\_\_\_\_ )

CASE NO. 2:11-CV-00863-GGH

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STIPULATION AND ORDER FOR SECOND  
 EXTENSION OF TIME TO FILE  
 DEFENDANT’S CROSS-MOTION

21 The parties hereby stipulate through counsel, with the Court’s approval as indicated by issuance  
 22 of the attached Order, that Defendant shall have a second extension of time of 30 days, nunc pro tunc, to  
 23 file his cross-motion for summary judgment.

24 The extension is being sought due to defendant’s counsel’s litigation workload during the past  
 25 month combined with the length of the administrative record in this case. In addition, defendant’s  
 26 counsel inadvertently miscalendered the previous extension by a week. Unfortunately, reduced staffing  
 27 makes reassignment of the case to another attorney an impossibility, as no other attorney is available to  
 28 take on additional duties. Several senior attorneys have recently left the regional counsel’s office and

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cannot be replaced due to the hiring freeze.

Given these constraints, the Commissioner respectfully requests 30 additional days in which to complete the Commissioner’s cross-motion for summary judgment. The new due date will be March 9, 2012.

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

Respectfully submitted,

Dated: February 16, 2012

/s/ Bess M. Brewer  
(As authorized via e-mail)  
BESS M. BREWER  
Attorney for Plaintiff

Dated: February 15, 2012

BENJAMIN B. WAGNER  
United States Attorney

/s/ Brenda M. Pullin  
BRENDA M. PULLIN  
Special Assistant U.S. Attorney

IT IS SO ORDERED:

No further extensions.

Dated: February 21, 2012

/s/Gregory G. Hollows  
United States Magistrate Judge