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

11 **REBECCA KREISHER**  
 xxx-xx-1732

12  
 13 **Plaintiff,**

14 **v.**

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

17 **Defendant.**  
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**Case No. CIV-12-530 DAD**

**MOTION FOR EXTENSION OF TIME  
 TO FILE BRIEF; DELCARATION AND  
 ORDER**

19 **NOTICE OF MOTION AND MOTION FOR EXTENSION OF TIME TO FILE BRIEF**

20 Plaintiff hereby moves the Court for an extension of time to September 4, 2012, to file her  
 21 Summary Judgment Motion pursuant to Rule 6 (4) (b) of the Federal Rules of Civil Procedure. This  
 22 motion is based on the entire record in this case including the declaration of plaintiff’s counsel as set  
 23 forth below.

24 **MOTION**

25 Plaintiff respectfully requests that the Court permit counsel to file her Summary Judgment  
 26 Memorandum on September 4, 2012, contemporaneous with this motion, pursuant to Rule 6 (4) (b) of  
 27 the Federal Rules of Civil Procedure. Rule 6(4)(b). Plaintiff’s motion was due August 23, 2012, but  
 28 due to counsel’s “inadvertence, mistake and excusable neglect” the due date was incorrectly re-

1 calendared for September 6, 2012, the due date for another case. Counsel became aware of the mistake  
2 on Friday, August 31, 2012. *See*, Declaration of Bess M. Brewer. Counsel apologizes to the court for  
3 her not timely filing Ms. Kreisher's summary judgment motion.

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Dated: September 4, 2012

LAW OFFICE OF  
BESS M. BREWER & ASSOCIATES

By: /S/ BESS M. BREWER  
BESS M. BREWER  
Attorney for Plaintiff

