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1	BESS M. BREWER, #100364	
2	LAW OFFICE OF BESS M. BREWER & ASSOCIATES	
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8	IN THE UNITED STATES DISTRICT COURT	
9	IN THE UNITED STATES DISTRICT COURT	
10	EASTERN DISTRICT OF CALIFORNIA	
11	REBECCA KREISHER xxx-xx-1732) Case No. CIV-12-530 DAD
12	XXX-XX-1/32)) MOTION FOR EXTENSION OF TIME
13	Plaintiff,	 MOTION FOR EXTENSION OF TIME TO FILE BRIEF; DELCARATION AND ORDER
14	v.) ORDER)
15	MICHAEL J. ASTRUE	
16	Commissioner of Social Security of the United States of America,	
17	Defendant.	
18		Ś
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.	

MOTION

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

calendared for September 6, 2012, the due date for another case. Counsel became aware of the mistake on Friday, August 31, 2012. See, Declaration of Bess M. Brewer. Counsel apologizes to the court for her not timely filing Ms. Kreisher's summary judgment motion. Dated: September 4, 2012 LAW OFFICE OF BESS M. BREWER & ASSOCIATES By: /S/ BESS M. BREWER BESS M. BREWER Attorney for Plaintiff

DECLARATION OF BESS M. BREWER 1 2 I, Bess M. Brewer, Declare: 3 1. I am an attorney licensed the practice law in California and am admitted 4 to practice before this Court. I represent the plaintiff in the above 5 referenced case and submit this declaration in support of plaintiff's motion for leave to file Ms. Kreisher's brief late. 6 2. 7 Plaintiff's motion for summary judgment was extended to August 23, 8 2012. Unfortunately, I inadvertently calendared it for September 6, 9 2012, the due date for the MSJ of a different client. 10 3. I became aware of my oversight when I began my review of Ms. 11 Kreisher's case on Friday, August 31, 2012. 12 4. I apologize to the Court for my failure to properly re calendar the due 13 date for Ms. Kreisher's summary judgment motion. 14 15 I declare under the penalty of perjury that the foregoing is true and correct to the best of my 16 knowledge, and that this declaration was executed on September 4, 2012, in Sacramento, California. 17 /s/ Bess M. Brewer 18 BESS M. BREWER 19 **ORDER** 20 APPROVED AND SO ORDERED. 21 DATED: September 12, 2012. 22 23 24 UNITED STATES MAGISTRATE JUDGE

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