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5 Attorney for Plaintiff

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

10 **ALITA ANGELL-MURRAY AS**  
 11 **GUARDIAN AD LITEM FOR**  
 12 **EMMA ANGELL-MURRAY**  
 13 **(MINOR DAUGHTER)**  
 14 **SSN XXX-XX- 2548**

15 **Plaintiff,**

16 **v.**

17 **MICHAEL J. ASTRUE,**  
 18 **COMMISSIONER OF SOCIAL**  
 19 **SECURITY ADMINISTRATION**  
 20 **Defendant**

**Case No. 2:12-cv-2604 KJN**

**MOTION FOR**  
**APPOINTMENT OF ALITA**  
**ANGELL-MURRAY AS GUARDIAN AD**  
**LITUM FOR HER MINOR DAUGHTER**  
**EMMA ANGELL-MURRAY;**  
**DECLARATION AND**  
**ORDER**

21 **MOTION**

22 Plaintiff Alita Angell-Murray moves this court for an order appointing her as guardian ad litem  
 23 for her minor daughter, Emma Angell-Murray pursuant to *Fed. R. Civ. P. 17(c)* and *Civ. L.R. 17-202*.

24 Emma is currently 3 years old and is disabled. Through her mother she applied for Social Security/SSI  
 25 disability benefits which defendant denied. Ms. Angell-Murray has appealed the denial of her SS/SSI  
 26 disability benefits through all the administrative stages of defendant's appeals process and now seeks  
 27 to represent her daughter's interests in federal court. Ms. Angell-Murray has no interest adverse to that  
 28 of her daughter and is competent to represent those interests in federal court. Consequently, Ms. Angell-

1 Murray moves this court for an order appointing her guardian ad litem for Emma Angell-Murray.

2 Plaintiff seeks appointment as guardian ad litem on the basis of this motion and the declaration  
3 set forth below in support of this motion.

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5 Dated: October 11, 2012

Respectfully submitted

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LAW OFFICE OF  
BESS M. BREWER & ASSOCIATES

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By: /s/ Bess M. Brewer

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BESS M. BREWER  
Attorney for Plaintiff

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**DECLARATION OF ALITA ANGELL-MURRAY**

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I, Alita Angell-Murray, declare:

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1. I am the mother of plaintiff, Emma Angell-Murray. She is currently 3  
14 years old and we live together at 3876 Wellington Place, Shasta Lake, CA  
15 96019 in Shasta County.

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2. I am competent to protect the rights of my daughter as a plaintiff in this lawsuit.

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3. I have no interest adverse to that of my daughter. I am not associated in business with  
18 any of the adverse parties or their counsel.

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4. Subject to the approval of the court, I have retained counsel to represent my daughter and  
20 me in this case. My daughter needs me to be her guardian ad litem in order to pursue  
21 certain causes of action on her behalf. Her causes of action arise out of the following  
22 facts: Emma was born with a heart impairment and has since failed to thrive with height  
23 and weight below the 3<sup>rd</sup> percentile. Because of her impairments and on the advice of  
24 her doctors, I applied for Social Security/SSI disability benefits for Emma. Social  
25 Security has denied her application for benefits stating that she is not disabled. I have  
26 appealed the denial through all the administrative stages and have retained counsel to  
27 pursue her claim in federal court.

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1 I declare under penalty of perjury that the foregoing is true and correct. Executed October 11,  
2 2012, in Shasta County, CA.

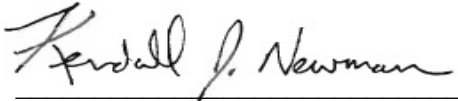
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/s/ Alita Angell-Murray  
Alita Angell-Murray  
Mother of Emma Angell-Murray

ORDER

Good cause appearing therefore, it is so ordered.

Dated: October 24, 2012

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE