

1 BENJAMIN B. WAGNER
 United States Attorney
 2 DONNA L. CALVERT
 Acting Regional Chief Counsel, Region IX
 3 Social Security Administration
 4 BRENDA M. PULLIN
 Special Assistant United States Attorney
 5 160 Spear Street, Suite 800
 San Francisco, California 94105
 6 Telephone: (415) 977-8975
 7 Facsimile: (415) 744-0134
 E-Mail: Brenda.Pullin@ssa.gov

8 Attorneys for Defendant

9 **UNITED STATES DISTRICT COURT**
 10 **EASTERN DISTRICT OF CALIFORNIA**

12 ANNE L. PEGGINS,)	CASE NO. 2:12-CV-02879-CMK
)	
13 Plaintiff,)	STIPULATION AND PROPOSED ORDER
)	FOR FIRST EXTENSION OF TIME TO
14 vs.)	FILE DEFENDANT’S MOTION FOR
15 CAROLYN W. COLVIN,)	SUMMARY JUDGMENT
Acting Commissioner of Social Security,)	
)	
16 Defendant.)	
)	

18

19 At the end of the day on September 30, 2013, the appropriation that had been funding the
 20 Department of Justice expired and the appropriations to the Department lapsed. The same was
 21 true for most Executive agencies, including the Social Security Administration.¹ Consequently,
 22 counsel for Defendant was on mandatory unpaid leave during the time when Defendant’s Motion
 23 for Summary Judgment was due to be filed with the Court.
 24

25 Effective October 17, 2013, funds were appropriated for the Department of Justice and
 26

27

 ¹ On this basis, Defendant previously filed a Motion for Stay of Proceedings in Light of Lapse of
 28 Appropriations (Doc. No. 16), which remains pending before the Court.

1 the Social Security Administration, and attorneys in both offices are resuming their usual civil
2 litigation functions. Notwithstanding the return of all attorneys, the Office of the General
3 Counsel for the Social Security Administration has a substantial backlog of work as a result of
4 this lapse in appropriations. The Office of the General Counsel is working diligently to prioritize
5 and work through this backlog as efficiently as possible. As such, the Acting Commissioner
6 requests a 30-day extension of time for filing the Commissioner's Motion for Summary
7 Judgment, through November 4, 2013. This is the first request for an extension by Defendant in
8 this case. Plaintiff's counsel does not oppose the extension.
9

10 Respectfully submitted,

11 Dated: October 23, 2013

12 By: /s/ Jared T. Walker
13 (via e-mail authorization)
14 JARED T. WALKER
Attorney for Plaintiff

15 Dated: October 23, 2013

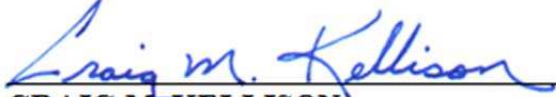
16 BENJAMIN B. WAGNER
17 United States Attorney
18 DONNA L. CALVERT
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Social Security Administration

19 By: /s/ Brenda M. Pullin
20 BRENDA M. PULLIN
21 Special Assistant U.S. Attorney
22 Attorneys for Defendant

23 **ORDER**

24 APPROVED AND SO ORDERED:

25 Dated: November 1, 2013

26 
27 **CRAIG M. KELLISON**
28 **UNITED STATES MAGISTRATE JUDGE**