

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
(SACRAMENTO)**

THERESA DOUTHITT,
 Plaintiff,
 v.
 ACTING COMMISSIONER
 OF SOCIAL SECURITY,
 Defendant.

No. 2:13-cv-00636-CMK
 DEFENDANT’S APPLICATION FOR
 AN *EX PARTE* ORDER EXTENDING
 DEFENDANT’S TIME TO RESPOND TO
 PLAINTIFF’S MOTION FOR SUMMARY
 JUDGMENT BY THIRTY (30) DAYS

Pursuant to Local Rule 144, Defendant, through counsel, hereby submits this application for an *ex parte* order extending Defendant's time to respond to Plaintiff's motion for summary judgment by thirty (30) days, i.e., up to and including June 30, 2014. Defendant files this application *ex parte* because counsel has been unable to contact Plaintiff regarding a joint stipulation to a like extension. Counsel has called the telephone number listed for Plaintiff on the Court's docket, but there is no answer.

In Plaintiff's motion for summary judgment, she alleges that she submitted medical records that are not included in the administrative record. (Plaintiff did not allege this in her complaint.)

1 Counsel needs to investigate the allegedly missing records. This investigation will likely
2 take some time, because it will involve queries to an agency field office as well as
3 agency headquarters.

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5 Respectfully submitted,

6 Date: *May 29, 2014*

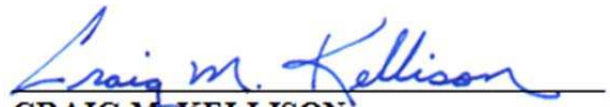
7 BENJAMIN B. WAGNER
8 United States Attorney
9 DONNA L. CALVERT
10 Acting Regional Chief Counsel, Region IX
11 Social Security Administration

12 */s/ Timothy R. Bolin*
13 TIMOTHY R. BOLIN
14 Special Assistant United States Attorney

15 **ORDER**

16 In light of cause shown, the Court hereby grants *ex parte* Defendant's application for an
17 extension of thirty (30) days, i.e., up to and including June 30, 2014, for Defendant to respond to
18 Plaintiff's motion for summary judgment.

19
20 Dated: June 3, 2014

21 
22 **CRAIG M. KELLISON**
23 UNITED STATES MAGISTRATE JUDGE
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United States Attorney
2 DONNA L. CALVERT
Acting Regional Chief Counsel, Region IX
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9 Attorneys for Defendant

10
11 **UNITED STATES DISTRICT COURT**
12 **EASTERN DISTRICT OF CALIFORNIA**
13 **(SACRAMENTO)**
14

15 THERESA DOUTHITT,)	No. 2:13-cv-00636-CMK
16 Plaintiff,)	CERTIFICATE OF SERVICE BY MAIL
17 v.)	
18 ACTING COMMISSIONER)	
19 OF SOCIAL SECURITY,)	
20 Defendant.)	

21 I declare that I am over the age of eighteen years, and I am not a party to this action. I am
22 an employee of the Social Security Administration, Office of the Regional Chief Counsel,
23 Region IX. On May 29, 2014, I served on Plaintiff a true and correct copy of DEFENDANT'S
24 APPLICATION FOR AN EX PARTE ORDER EXTENDING DEFENDANT'S TIME TO
25 RESPOND TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT BY THIRTY (30)
26 DAYS and its accompanying CERTIFICATE OF SERVICE BY MAIL, as filed with this Court
27 (Dkt. No. 21).

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1 I am readily familiar with the Office of the Regional Chief Counsel's practice for
2 collecting and processing correspondence for mailing. On the same day that correspondence is
3 placed in an internal mailbox for collection and mailing, it is deposited in the ordinary course of
4 business with the United States Postal Service in a sealed envelope with postage fully prepaid. I
5 personally sealed a true and correct copy of Dkt. No. 21 in an envelope addressed to Plaintiff at
6 her address as stated on the Court's docket. The mailing address on the envelope read as follows:

7 Theresa Douthitt

8 P.O. Box 5055

9 Pleasanton, CA 94566

10 I declare under penalty of perjury that the foregoing is true and correct.

11
12 Date: *May 29, 2014*

/s/ Timothy R. Bolin
TIMOTHY R. BOLIN