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5 Attorneys for Plaintiff

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 7 **IN THE UNITED STATES DISTRICT COURT**
 8 **NORTHERN DISTRICT OF CALIFORNIA**
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10 **RICK ALLEN HART**

CASE NO. CIV-10-1760 JSW

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Plaintiff,

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v.

**[PROPOSED] STIPULATION AND ORDER
 EXTENDING PLAINTIFF'S TIME TO
 FILE MEMORANDUM IN SUPPORT
 OF SUMMARY JUDGMENT AND
 DECLARATION**

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

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Defendant.

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IT IS HEREBY STIPULATED by and between the parties, through their attorneys, and with the permission of the Court as evidenced below, that the Plaintiff's time to file the summary judgment in this case is hereby extended from its current due date of September 28, 2010, to November 4, 2010. This is plaintiff's first request for an extension of time and is required due to plaintiff's counsel's impacted briefing schedule. See, Declaration of Bess M. Brewer set forth below

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1 Dated: September 27, 2010

s/Bess M. Brewer
BESS M. BREWER
Attorney at Law

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Attorney for Plaintiff

4 Dated: September 27, 2010

McGregor W. Scott

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United States Attorney

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/s/ Elizabeth Firer
ELIZABETH FIRER

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Special Assistant U.S. Attorney
Attorney for Defendant

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DECLARATION OF BESS M. BREWER

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DECLARATION OF BESS M. BREWER

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12 I, Bess M. Brewer, Declare:

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1. I represent the plaintiff in the above referenced case pending in this court and submit this declaration in support of plaintiff's stipulated request for an extension of time to file his motion for summary judgment.

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2. Due to my extremely busy briefing schedule and need to give older cases briefing priority, I will require additional time to complete Mr. Hart's Motion for Summary Judgment and Memorandum.

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3. This is my first request for an extension of time to file Mr. Hart's summary judgment and the granting of this stipulated request will not have an appreciable effect on the briefing of this case.

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I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge, and that this declaration was executed on September 27, 2010, in Sacramento, California.

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/s/ Bess M. Brewer
BESS M. BREWER

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ORDER

APPROVED AND SO ORDERED.

DATED: September 28, 2010


HONORABLE JEFFREY S. WHITE