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13 Attorneys for Defendant

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 OAKLAND DIVISION

17 JOHN COLEMAN,) CIVIL NO. C 08-3789 WDB
 18)

19 Plaintiff,)

20 v.)

21 MICHAEL J. ASTRUE,
 22 Commissioner of Social Security)

23 Defendant.)

24 AMENDED MOTION AND PROPOSED
 25 ORDER FOR PLAINTIFF'S FIRST
 26 EXTENSION OF TIME TO FILE
 27 PLAINTIFF'S MOTION FOR
 28 SUMMARY JUDGMENT;
 29 ~~PROPOSED~~ ORDER GRANTING
 30 EXTENSION OF TIME



31 Comes now Defendant, by and through the undersigned Special Assistant United States Attorney,
 32 with the Court's approval as indicated by issuance of the attached Order, that Plaintiff, who is acting pro
 33 se, shall have a first extension of time of 30 days to file to Plaintiff's motion for summary judgment and
 34 supporting brief. The requested extension is necessary because the parties were engaged in settlement
 35 negotiations during the period in which Plaintiff would otherwise having been preparing his motion for
 36 summary judgment. That the settlement negotiations have not resulted in agreement is not the fault of either
 37 party, and Defendant respectfully requests that the Court permit Plaintiff 30 days from the issuance of this

1 Order to file his motion for summary judgment and supporting brief. This amended motion is filed to cure
2 a mistake in the proposed order attached to the original motion filed on January 27, 2009.
3

4 Respectfully submitted,

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6 JOSEPH P. RUSSONIELLO
7 United States Attorney

8 Dated: January 28, 2009

9 By /s/ Sarah Ryan
SARAH RYAN
10 Special Assistant United States Attorney

11 Attorney for Defendant

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13
14 ORDER

15 IT IS ORDERED that Plaintiff's deadline to file a motion for summary judgment and supporting
16 brief is hereby extended until February 16, 2009, and all other due dates are
17 extended accordingly.

18
19 Dated: 1/29, 2009.

20 Wayne D. Brazil
THE HON. WAYNE D. BRAZIL
United States Magistrate Judge

21
22
23 CERTIFICATE OF SERVICE ON PRO SE PARTY

24 The undersigned attorney of record for Defendant, Commissioner of Social Security, does
25 hereby certify that the foregoing was served on Plaintiff, who is appearing pro se, by mailing same to
him at the following last known address by first class United States mail on this date:

26 John Coleman
27 P. O. box 996
28 Alameda, CA 94501.

Dated: January 28, 2009.

By: /s/ Sarah Ryan
SARAH RYAN

Special Assistant United States Attorney

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