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BETTY HERRERA (242189)

**S A C K E T T**  
**AND ASSOCIATES**  
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Attorney for Plaintiff

/jgl

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

AMANDITA NICHOLS, A PARENT ON	)	Case No: C09-03494 JW HRL
BEHALF OF JOSHUA NICHOLS, A	)	
MINOR CHILD,	)	
	)	STIPULATION AND ORDER
Plaintiff,	)	
v.	)	
	)	
MICHAEL J. ASTRUE,	)	
Commissioner,	)	
Social Security Administration,	)	
	)	
Defendant.	)	
	)	
	)	

Plaintiff and Defendant, through their respective attorneys, hereby stipulate that Plaintiff shall have a second extension of time of (14) days up through and including Wednesday, February 24, 2010 in which to e-file his Motion for Summary Judgment. This extension is necessitated by the number of other cases (5) Plaintiff's counsel currently has

1 before this district court and other district courts that also require briefing around this time.  
2 Defendants brief will be due March 26, 2010.

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JOSEPH P. RUSSONIELLO  
United States Attorney

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Dated: February 8, 2010

/s/ \_\_\_\_\_  
ARMAND D. ROTH  
Special Assistant U.S. Attorney

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Dated: February 8, 2010

/s/ \_\_\_\_\_  
BETTY HERRERA  
Attorney for Plaintiff  
ARMANDITA NICHOLS, PARENT  
ON BEHALF OF JOSHUA NICHOLS  
A MINOR CHILD

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IT IS SO ORDERED.


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The prior stipulation (Docket Item No. 16) is found as moot.

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Dated: February 23, 2010

  
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HON. JAMES WARE  
United States District Judge

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