

**** E-filed September 29, 2010 ****

1 Dolly M. Trompeter, (CSBN 235784)
2 Attorney At Law
3 2261 Market Street, No. 185
4 San Francisco, CA 94114
5 Telephone: 415 271-8604
6 Fax: 415 431-0279

7 Attorney for Plaintiff Brian Cheng

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 BRIAN CHENG

Case No.: C10-03605 HRL

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)
) ~~PROPOSED~~ ORDER AND REQUEST FOR
) ADDITIONAL TIME TO SUBMIT A NEW
) APPLICATION TO PROCEED IN FORMA
) PAUPERIS WITH ADDITIONAL
) INFORMATION AS REQUESTED BY THE
) COURT

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15 Plaintiff,

16 v.

17 MICHAEL J. ASTRUE,

18 Commissioner of
19 Social Security,

20 Defendant.
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22 Plaintiff, by his attorney, respectfully requests additional time to
23 submit a new application to proceed In Forma Pauperis per the Court
24 Interim Order dated September 9, 2010 requiring additional
25 information regarding the amounts Plaintiff receives in relation to
26 his worker's compensation payments and personal injury settlement as
27 well as the amount of any cash on hand. All of the requested
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1 information (including Workers' Compensation payments and personal
2 injury settlement) is currently in a Special Needs Trust which is
3 designed for use only for the care and welfare of the disabled
4 plaintiff and is under the control of a guardian, Mr. Thomas Lucas.
5 Plaintiff suffers from a cognitive disorder among other disabilities
6 and is not currently aware of the amounts contained within the
7 Special Needs Trust. Plaintiff respectfully requests an additional
8 14 (Fourteen) days so that through his attorney and the guardian of
9 this Special Needs Trust, he may ascertain the information requested
10 by the Court and submit a new Application to Proceed In Forma
11 Pauperis.
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15 Respectfully submitted,

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17 Date: 9/28/10

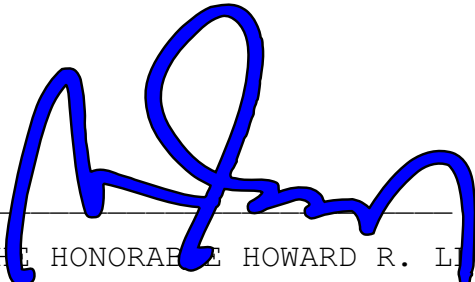
/s/ Dolly M. Trompeter

18 DOLLY M. TROMPETER, ESQ.

19 Attorney for Plaintiff

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21 IT IS SO ORDERED that Plaintiff shall have an additional 14 days in
22 which to re-file Request to Proceed In Forma Pauperis with additional
23 information as requested by the Court, up to and including October
24 12, 2010.

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27 Dated: September 29, 2010


28 THE HONORABLE HOWARD R. LLOYD,
United States Magistrate Judge