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5 Attorneys for Plaintiff

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 7 **IN THE UNITED STATES DISTRICT COURT**  
 8 **NORTHERN DISTRICT OF CALIFORNIA**  
 9

10 **STEVEN MOORE**  
 xxx-xx-5648

Case No. 11-CIV-1905 PSG

11 )  
12 )  
13 **Plaintiff,**

14 v.

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

17 **Defendant.**  
18 )  
19 )

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

19 IT IS HEREBY STIPULATED by and between the parties, through their attorneys, and with the  
 20 permission of the Court as evidenced below, that the Plaintiff's time to file the summary judgment in  
 21 this case is hereby extended to October 25, 2011. This is plaintiff's first request for an extension of time  
 22 and is required due to plaintiff's counsel's impacted briefing schedule. See, Declaration of Bess M.  
 23 Brewer set forth below

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1 Dated: September 12, 2011

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

2  
3 Dated: September 12, 2011

Attorney for Plaintiff  
Benjamin B. Wagner  
United States Attorney  
/s/ David W. Lerch  
DAVID W. LERCH  
Special Assistant U.S. Attorney  
Attorney for Defendant

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7 **DECLARATION OF BESS M. BREWER**

8 **DECLARATION OF BESS M. BREWER**

9 I, Bess M. Brewer, Declare:

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

13 2. Plaintiff's summary judgement was first due September 6, 2011, but I accidentally  
14 calendared it for September 12, 2011, which I just realized today when preparing this extension.  
15 However, due to my extremely busy briefing schedule and need to give older cases briefing priority, I  
16 will require additional time to complete Mr. Moore's Motion for Summary Judgment and  
17 Memorandum.

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

21 I declare under the penalty of perjury that the foregoing is true and correct to the best  
22 of my knowledge, and that this declaration was executed on September 12, 2011, in Sacramento,  
23 California.

24 /s/ Bess M. Brewer  
BESS M. BREWER

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**ORDER**

APPROVED AND SO ORDERED.

DATED:

*Paul S. Amdur*

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