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7 Attorneys for Defendant

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN JOSE DIVISION

11 ROBERT J. HARRIS, )  
 12 Plaintiff, )  
 13 v. )  
 14 MICHAEL ASTRUE, )  
 15 Commissioner of )  
 Social Security, )  
 16 Defendant. )  
 17 \_\_\_\_\_ )

CASE NO.: 5:11-cv-03229-LHK

STIPULATION AND ~~PROPOSED~~ ORDER  
 FOR A FIRST EXTENSION FOR  
 DEFENDANT TO FILE NOTICE, MOTION,  
 AND MEMORANDUM IN SUPPORT OF  
 CROSS-MOTION FOR SUMMARY  
 JUDGMENT AND IN OPPOSITION TO  
 PLAINTIFF'S MOTION FOR SUMMARY  
 JUDGMENT

18 IT IS HEREBY STIPULATED, by and between the undersigned attorneys, subject to the approval  
 19 of the Court, that Defendant shall have a 30-day extension from today, or until April 9, 2012, in which  
 20 to file his Notice, Motion, and Memorandum in Support of Cross-Motion for Summary Judgment and in  
 21 Opposition to Plaintiff's Motion for Summary Judgment.

22 On December 14, 2011, Plaintiff filed his Notice, Motion, and Memorandum in Support of  
 23 Plaintiff's Motion for Summary Judgment. Defendant inadvertently failed to note the filing by Plaintiff  
 24 and, therefore, failed to calendar the due date for his brief, which was January 11, 2012. Until today,  
 25 Defendant was under the impression that Plaintiff had not yet filed his brief. The error is entirely  
 26 Defendant's. Defendant respectfully requests that the Court grant Defendant a 30-day extension in  
 27 which to file his brief.  
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This is Defendant's first request for an extension of time in this matter.

Respectfully submitted,

Dated: March 13, 2012

/s/ Harvey Sackett  
(as authorized via e-mail)  
Harvey Sackett  
Attorney for Plaintiff

MELINDA L. HAAG  
United States Attorney

Dated: March 13, 2012

By /s/ Elizabeth Barry  
ELIZABETH BARRY  
Special Assistant U.S. Attorney  
Attorneys for Defendant

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: March 14, 2012

  
\_\_\_\_\_  
LUCY H. KOH  
UNITED STATES DISTRICT JUDGE