

United States Department of Justice



United States Attorney
Eastern District of Tennessee

Please reply to the Knoxville Office

Headquarters: 1110 Market Street, Suite 301
Chattanooga, Tennessee 37402
800 Market Street, Suite 211 Knoxville, Tennessee 37902 423 752 5140
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220 West Depot Street, Suite 423
Greenville, Tennessee 37743
208 Sunset Drive, Suite 509 Johnson City, Tennessee 37604 423 639 6759
423 282 1889 FAX 423 282 0849 FAX 423 639 6451

May 11, 2007

John D. Lee, II
8604 Spangler Road
Knoxville, TN 37920

Re: *John D. Lee, II, Pro Se, v. Social Security Administration*, 3:05-cv-512
United States District Court for the Eastern District of Tennessee

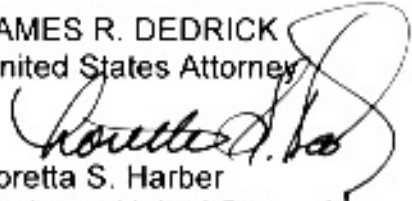
Dear Mr. Lee:

Please find enclosed copies of a Second Motion for Extension of Time and a supporting Declaration, filed this day in the above-styled case.

Sincerely,

JAMES R. DEDRICK
United States Attorney

By:


Loretta S. Harber
Assistant United States Attorney

Enclosure

Ish

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

JOHN D. LEE, II, <i>Pro Se</i> ,)	
)	
Plaintiff,)	
)	
v.)	CIV. NO. 3:05-CV-512
)	(VARLAN/SHIRLEY)
)	
MICHAEL J. ASTRUE)	
Commissioner of Social Security,)	
)	
Defendant.)	

SECOND MOTION FOR EXTENSION OF TIME

Comes the defendant, Commissioner of Social Security, and the United States of America, by and through James R. Detrick, United States Attorney for the Eastern District of Tennessee, and, for the reasons stated in the declaration concurrently filed with this motion, would move this Honorable Court for an extension of time to and including May 23rd, 2007, in which to file their response to plaintiff's motion to amend his complaint [Cl. Doc. 16] in this case.

Respectfully submitted,

JAMES R. DEDRICK
United States Attorney

By: s/Loretta S. Harber
LORETTA S. HARBER (BP #007221)
Assistant U.S. Attorney
800 Market Street, Suite 211
Knoxville, Tennessee 37902
(865)545-4167

Of Counsel for the Defendant:

Donna L. Calvert
Regional Chief Counsel

John L. Martin, Assistant Regional Counsel
Office of the General Counsel
Social Security Administration
200 West Adams Street-30th Floor
Chicago, Illinois 60606

CERTIFICATE OF SERVICE

I hereby certify that on May 11, 2007, a true and correct copy of the foregoing **Motion for Extension of Time** was electronically filed. Plaintiff *pro se*, John D. Lee, II, who is not a registered user of the Electronic Filing System, was served with said document by placing the same in the United States Mail, First Class, postage prepaid, on this 11th day of May, 2007, to the following:

John D. Lee, II
[REDACTED]
Knoxville, TN 37902

s/Loretta S. Harber
LORETTA S. HARBER
Assistant United States Attorney

Harber, Loretta (USATNE)

From: tned_cm-ecf@tned.uscourts.gov
Sent: Friday, May 11, 2007 3:31 PM
To: tned_Courtmail@tned.uscourts.gov
Subject: Activity in Case 3:05-cv-00512 Lee v. Social Security Administration. Commissioner of Motion for Extension of Time to File Response/Reply

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U.S. District Court (Live Database)

U.S. District Court - Eastern District of Tennessee

Notice of Electronic Filing

The following transaction was entered by Harber, Loretta on 5/11/2007 at 3:30 PM EDT and filed on 5/11/2007

Case Name: Lee v. Social Security Administration, Commissioner of
Case Number: 3:05-cv-512
Filer: Social Security Administration, Commissioner of
Document Number: 21

Docket Text:

Second MOTION for Extension of Time to File Response/Reply to *Plaintiff's Motion to Amend Complaint* by Social Security Administration, Commissioner of. (Harber, Loretta)

3:05-cv-512 Notice has been electronically mailed to:

Loretta S Harber loretta.harber@usdoj.gov, USATNE.ECFKnoxSS@usdoj.gov

John J Lee ch.il.oge.edtenn@ssa.gov

3:05-cv-512 Notice has been delivered by other means to:

John D Lee, II
8604 Spangler Rd
Knoxville, TN 37920

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

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[STAMP dcecfStamp_ID=1062680380 [Date=5/11/2007] [FileNumber=711780-0]

5/11/2007

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

JOHN D. LEE, II, <i>Pro Se</i> ,)	
)	
Plaintiff,)	
)	
v.)	CIV. NO. 3:05-CV-512
)	(VARLAN/SHIRLEY)
)	
MICHAEL J. ASTRUE)	
Commissioner of Social Security,)	
)	
Defendant.)	

DECLARATION

I, Loretta S. Harber, declare, pursuant to 28 U.S.C. § 1746, as follows:

1. I am an Assistant United States Attorney for the Eastern District of Tennessee.

2. On April 26, 2007, defendant requested a first extension of an additional fifteen (15) days in which to respond to plaintiff's motion to amend his complaint, [Ct. Doc. 18], which this Court granted on April, 27, 2007 [Ct. Doc. 20]. The extended response date was May 11, 2007.

3. The undersigned requests an additional twelve (12) days because she has been unable to prepare the response to date. The undersigned was out of the office from May 4 through 7, and has unexpectedly been required to take leave for a part of each day from May 8 through May 11 to care for her ailing 93-year old parent. Additionally, the undersigned will be out of the office from May 16 to mid-day May 21. This request is respectfully sought and is not unreasonable in that the combined first and second requests for extension amount to less than a total of thirty (30) days requested.

4. This motion for extension of time is not for the purpose of undue or unnecessary delay.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 11th ____ day of May, 2007.

The undersigned has not communicated with the *pro se* respondent regarding the contents of this motion.

Respectfully submitted:

JAMES R. DEDRICK
United States Attorney

By: s/Loretta S. Harber
LORETTA S. HARBER (BP#: 007221)
Assistant U. S. Attorney
Attorney for Petitioner
800 Market St., Suite 211
Knoxville, TN 37902
(865) 545-4167

CERTIFICATE OF SERVICE

I hereby certify that on May 11, 2007, a true and correct copy of the foregoing **Declaration** was electronically filed. Plaintiff *pro se*, John D. Lee, II, who is not a registered user of the Electronic Filing System, was served with said document by placing the same in the United States Mail, First Class, postage prepaid, on this 11th day of May, 2007, to the following:

John D. Lee, II
[REDACTED]
Knoxville, TN 37902

s/Loretta S. Harber
LORETTA S. HARBER
Assistant United States Attorney

Harber, Loretta (USATNE)

From: tned_cm-ecf@tned.uscourts.gov
Sent: Friday, May 11, 2007 3:32 PM
To: tned_Courtmail@tned.uscourts.gov
Subject: Activity in Case 3:05-cv-00512 Lee v. Social Security Administration, Commissioner of Affidavit in Support of Motion

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U.S. District Court - Eastern District of Tennessee

Notice of Electronic Filing

The following transaction was entered by Harber, Loretta on 5/11/2007 at 3:32 PM EDT and filed on 5/11/2007

Case Name: Lee v. Social Security Administration, Commissioner of
Case Number: 3:05-cv-512
Filer: Social Security Administration, Commissioner of
Document Number: 22

Docket Text:

AFFIDAVIT in Support re [21] Second MOTION for Extension of Time to File Response/Reply to Plaintiff's Motion to Amend Complaint filed by Social Security Administration, Commissioner of. (Harber, Loretta)

3:05-cv-512 Notice has been electronically mailed to:

Loretta S Harber loretta.harber@usdoj.gov, USATNE.ECFKnoxSS@usdoj.gov

John J Lee ch.il.oge.edtenn@ssa.gov

3:05-cv-512 Notice has been delivered by other means to:

John D Lee, II
 8604 Spangler Rd
 Knoxville, TN 37920

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