

1 BENJAMIN B. WAGNER
United States Attorney
2 DONNA L. CALVERT
Regional Chief Counsel, Region IX
3 Social Security Administration
4 CAROLYN B. CHEN, CSBN 256628
Special Assistant United States Attorney
5 160 Spear Street, Suite 800
San Francisco, California 94105
6 Telephone: (415) 977-8956
7 Facsimile: (415) 744-0134
E-Mail: Carolyn.Chen@ssa.gov
8 Attorneys for Defendant

9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**
11 **FRESNO DIVISION**

12
13 LUIS DEMELO,) Case No.: 1:13-cv-01247-BAM
14 Plaintiff,)
15 vs.) STIPULATION AND ORDER FOR AN
CAROLYN W. COLVIN,) EXTENSION OF TIME OF 60 DAYS FOR
16 Acting Commissioner of Social Security,) DEFENDANT’S RESPONSE TO
17 Defendant.) PLAINTIFF’S OPENING BRIEF
18)

19 IT IS HEREBY STIPULATED, by and between the parties, through their respective
20 counsel of record, that Defendant shall have an extension of time of an additional 60 days to
21 respond to Plaintiff’s opening brief. This is the first continuance sought by Defendant. The
22 current due date is September 10, 2014. The new due date will be November 10, 2014.

23 There is good cause for this request. Defendant is seeking this extension due to
24 Defendant’s counsel’s heavy workload and due to pre-approved leave in September. Defendant’s
25 counsel was limited in her ability to work on this case due to two Equal Employment
26 Opportunity Commission (EEOC) cases, one of which had an out-of-state hearing in Phoenix,
27 Arizona, and involved follow-up and written closing briefs after the hearing, while the other had
28 a motion for summary judgment coming due in September. Counsel also had a Ninth Circuit

1 opposition brief due in August, and has another Ninth Circuit answering brief due in the next
2 month, and at least 16 pending district court cases at various stages of litigation in the next
3 month. Because of the factors described above, defense counsel is requesting additional time to
4 fully review the administrative record and research the issues presented by Plaintiff's opening
5 brief.

6 The parties further stipulate that the Court's Scheduling Order shall be modified
7 accordingly. Defendant apologizes for any inconvenience caused by the delay.

8
9 Respectfully submitted,

10 Date: September 2, 2014

11
12 s/ Michelle Nevarez by C.Chen*
13 (As authorized by e-mail on 9/2/2014)
14 MICHELLE NEVAREZ
15 Attorneys for Plaintiff

16 Date: September 2, 2014

17 BENJAMIN B. WAGNER
18 United States Attorney

19 By s/ Carolyn B. Chen
20 CAROLYN B. CHEN
21 Special Assistant U. S. Attorney

22 Attorneys for Defendant
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