UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SHANNON THOMPSON, Plaintiff, v. COMMISSIONER OF SOCIAL SECURITY, Defendant.	Case No.: 1:14-cv-01100- JLT ORDER GRANTING DEFENDANT AN EXTENSION OF TIME (Doc. 16)

On May 26, 2015, the parties stipulated for Defendant to have an extension of time file a response to Plaintiff's opening brief. (Doc. 16.) The Scheduling Order allows for "a single thirty (30) day extension" by stipulation of the parties. (Doc. 5-1 at 4.) The parties were informed that any further extensions of time must be requested by written motion, and would not be granted without good cause. (*Id.*) Previously, the parties stipulated for an extension of time for Plaintiff to serve a confidential letter brief. (Doc. 17 at 2.) Therefore, the Court construes the parties' stipulation to be a motion by Defendant for an extension of time.

A scheduling order "is not a frivolous piece of paper, idly entered, which can be cavalierly disregarded without peril." *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 610 (9th Cir. 1992). The deadlines are considered "firm, real and are to be taken seriously by parties and their counsel." *Shore v. Brown*, 74 Fed. R. Serv. 3d (Callaghan) 1260, 2009 U.S. Dist. LEXIS 94828 at *7 (E.D. Cal. Oct. 9, 2009). Here, Defendant's counsel "respectfully requests this additional time because he has a

very heavy workload despite due diligence." (Doc. 16 at 1.) By signing the stipulation, Plaintiff indicates there is no opposition to the request. Therefore, the Court will grant Defendant's request. However, the parties are cautioned that no further extensions of time will be granted without a showing of exceptional good cause.

Accordingly, **IT IS HEREBY ORDERED**:

1. Defendant's request for an extension of time is **GRANTED**; and
2. Defendant **SHALL** file a response to Plaintiff's opening brief on or before **June 19, 2015**.

IT IS SO ORDERED.

Dated: **May 28, 2015**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE