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

13 ANTHONY WAYNE SMITH,	)	Case No.: 1:14-CV-1210-BAM
14 Plaintiff,	)	STIPULATION AND ORDER FOR AN
15 vs.	)	EXTENSION OF 28 DAYS FOR
16 CAROLYN W. COLVIN,	)	DEFENDANT TO FILE HER OPPOSITION
Acting Commissioner of Social Security,	)	TO PLAINTIFF'S OPENING BRIEF
17	)	
18 Defendant.	)	

19 IT IS HEREBY STIPULATED, by the parties, through their respective counsel of record,  
20 that Defendant shall have an extension of time of 28 days to file her Opposition to Plaintiff's  
21 Opening Brief. The parties previously stipulated to a 30-day extension for Plaintiff to serve his  
22 Confidential Letter Brief. This is Defendant's first request for extension. The additional time is  
23 requested due to Defendant's counsel being on work-related travel from August 23 through  
24 August 28, 2015, which includes the day her Opposition is currently due as well as the week  
25 prior. In addition, Defendant's counsel has an employment law matter in active litigation before  
26 the Merit Systems Protection Board, Docket No. CB-7521-14-0013-T-1, two Ninth Circuit  
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1 briefings, and five additional district court briefings due upon her return from travel. The  
2 additional time requested is needed to adequately research the issues Plaintiff has presented. The  
3 current due date is August 28, 2015. The new due date will be September 25, 2015.

4 The parties further stipulate that the Court's Scheduling Order shall be modified  
5 accordingly.

6  
7 Respectfully submitted,

8 Dated: August 21, 2015

/s/ \*Jonathan Omar Pena  
(\*as authorized by email on Aug. 20, 2015)  
JONATHAN OMAR PENA  
Law Office of Jonathan O. Pena  
Attorney for Plaintiff

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11 Dated: August 21, 2015

BENJAMIN B. WAGNER  
United States Attorney  
DEBORAH LEE STACHEL  
Acting Regional Chief Counsel, Region IX,  
Social Security Administration

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15 By: /s/ Jennifer A. Kenney  
16 JENNIFER A. KENNEY  
17 Special Assistant U.S. Attorney  
18 Attorneys for Defendant

19 **ORDER**

20 Based upon the stipulation of the parties, and for cause shown, IT IS HEREBY  
21 ORDERED, that Defendant shall have an extension of time, to and including September 25,  
22 2015, in which to file an opposition to Plaintiff's Opening Brief; and that all other deadlines set  
23 forth in the September 4, 2014 Case Management Order shall be extended accordingly.

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25 IT IS SO ORDERED.

26 Dated: August 24, 2015

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE

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