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

12 BILLY RAY WHALEY,) Case No.: 1:14-CV-01719-SMS
13)
Plaintiff,)
14) STIPULATION AND ORDER FOR AN
vs.) EXTENSION OF 30 DAYS FOR
15) DEFENDANT TO FILE HER OPPOSITION
TO PLAINTIFF'S OPENING BRIEF
16 CAROLYN W. COLVIN,)
Acting Commissioner of Social Security,)
17)
18 Defendant.)
19)

20 IT IS HEREBY STIPULATED, by the parties, through their respective counsel of record,
21 that Defendant shall have an extension of time of 30 days to file her Opposition to Plaintiff's
22 Opening Brief. The parties previously stipulated to a two-week extension for Plaintiff to file his
23 Opening Brief. This is Defendant's first request for extension. The additional time is requested
24 due to Defendant's counsel's exceptionally heavy workload at this time, including two
25 employment law matters in active litigation, one pending before the pending Equal Employment
26 Opportunity Commission, No. 540-2014-00176X, and one before the Merit Systems Protection
27 Board, Docket No. CB-7521-14-0013-T-1. In addition, Defendant's counsel has three other
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1 district court briefings and a 9th Circuit briefing due in the next week. The additional time
2 requested is needed to adequately research the issues Plaintiff has presented. The current due
3 date is August 19, 2015. The new due date will be September 18, 2015.

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

7 Counsel apologizes to the Court for any inconvenience caused by this delay.

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9 Respectfully submitted,

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11 Dated: August 12, 2015

/s/ *Monica Perales
(*as authorized by email on Aug. 12, 2015)
MONICA PERALES
Law Offices of Lawrence D. Rohlifing
Attorney for Plaintiff

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15 Dated: August 12, 2015

BENJAMIN B. WAGNER
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19 By: /s/ Jennifer A. Kenney
JENNIFER A. KENNEY
Special Assistant U.S. Attorney
Attorneys for Defendant

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22 **ORDER**

23 APPROVED AND SO ORDERED:

24
25 IT IS SO ORDERED.

26 Dated: August 13, 2015

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE