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

12 BILLIE RAY WHALEY, ) Case No.: 1:14-CV-01719-SMS  
13 )  
14 Plaintiff, ) STIPULATION AND ORDER FOR AN  
15 vs. ) EXTENSION OF 30 DAYS FOR  
16 ) DEFENDANT TO FILE HER OPPOSITION  
17 ) TO PLAINTIFF'S OPENING BRIEF  
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IT IS HEREBY STIPULATED, by the parties, through their respective counsel of record,  
that Defendant shall have an extension of time of 30 days to file her Opposition to Plaintiff's  
Opening Brief. The parties previously stipulated to a two-week extension for Plaintiff to file his  
Opening Brief. This is Defendant's third request for extension. The additional time is requested  
due to Defendant's counsel absence between September 1 and September 17, and October 8-12  
due to bereavement of the death of an immediate family member. The additional time requested  
is needed to adequately research the issues Plaintiff has presented. The current due date is  
October 19, 2015. The new due date will be November 18, 2015.

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

3 Counsel sincerely apologizes to the Court for any inconvenience caused by this delay.  
4

5 Respectfully submitted,  
6

7 Dated: October 16, 2015

/s/ \*Monica Perales  
(\*as authorized by email on October 15, 2015)  
MONICA PERALES  
Law Offices of Lawrence D. Rohlfing  
Attorney for Plaintiff

11 Dated: October 16, 2015

BENJAMIN B. WAGNER  
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15 By: /s/ Roya Massoumi  
16 ROYA MASSOUMI  
17 Special Assistant U.S. Attorney  
18 Attorneys for Defendant

19 **ORDER**

20 APPROVED.  
21

22  
23 IT IS SO ORDERED.

24 Dated: October 20, 2015

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE