

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

CHRISTINE MCKINLEY,	)	Case No.: 1:15-cv-01078- JLT
Plaintiff,	)	ORDER GRANTING PLAINTIFF’S REQUEST
v.	)	FOR A SECOND EXTENSION OF TIME
CAROLYN W. COLVIN,	)	(Doc. 18)
Acting Commissioner of Social Security,	)	
Defendant.	)	

---

On June 21, 2016, the parties filed a stipulation for an extension of time for Plaintiff to file an opening brief. (Doc. 18) Notably, the Scheduling Order permits a single extension by the stipulation of parties (Doc. 8 at 4), which was previously used by Plaintiff related to the opening brief. (Doc. 16) Beyond the single thirty-day extension, “requests to modify [the scheduling] order must be made by written motion and will be granted only for good cause.” (Doc. 8 at 4) Therefore, the Court construes the stipulation of the parties to be a motion by Plaintiff for modification of the Scheduling Order.

Plaintiff’s counsel asserts the further extension of seven days is necessary because she recently suffered an illness was unable to comply with the prior deadline for filing an opening brief in the matter. (Doc. 18 at 1) In addition, Defendant does not oppose the request for the brief extension of time. (*Id.*)

Good cause appearing, **IT IS HEREBY ORDERED:**

1. Plaintiff’s request for a second extension of time is **GRANTED**; and

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

2. Plaintiff **SHALL** file an opening brief no later than **June 27, 2016**.

IT IS SO ORDERED.

Dated: June 21, 2016

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE