

1 PHILIP A. TALBERT  
United States Attorney  
2 DEBORAH LEE STACHEL  
Regional Chief Counsel, Region IX  
3 Social Security Administration  
JEFFREY CHEN, CSBN 260516  
4 Special Assistant United States Attorney  
5 Social Security Administration  
160 Spear Street, Suite 800  
6 San Francisco, CA 94105  
7 Telephone: (415) 977-8939  
Facsimile: (415) 744-0134  
8 Email: Jeffrey.Chen@ssa.gov  
Attorneys for Defendant

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

13 YVONNE SIMON, ) Civil No. 1:15-cv-01239-EPG  
14 )  
Plaintiff, ) **STIPULATION AND ORDER FOR AN**  
15 ) **EXTENSION OF TIME FOR**  
16 v. ) **DEFENDANT TO FILE HER**  
 ) **RESPONSIVE BRIEF**  
17 CAROLYN W. COLVIN, )  
Acting Commissioner of Social Security, )  
18 )  
19 Defendant. )  
20 \_\_\_\_\_ )

21 IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and  
22 with the approval of the Court, that Defendant shall have an extension of time of 14 days from  
23 today to file her responsive brief or a voluntary remand stipulation. Defendant respectfully  
24 requests this additional time to consult with the client and potentially obtain authority for a  
25 voluntary remand in lieu of further litigation.  
26  
27

28 Stip. to Extend Def.'s Brief

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

The new due date for Defendant's responsive brief or any remand stipulation will be Tuesday, December 13, 2016.

Date: November 29, 2016

Respectfully submitted,  
MACKENZIE LEGAL, PLLC

By: /s/ Kelsey Brown\*  
KELSEY MACKENZIE BROWN  
\* By email authorization on Nov. 29, 2016  
Attorney for Plaintiff

Date: November 29, 2016

PHILIP A. TALBERT  
United States Attorney

By: /s/ Jeffrey Chen  
JEFFREY CHEN  
Special Assistant United States Attorney  
Attorneys for Defendant

**ORDER**

1  
2 Based on the above stipulation, the Court GRANTS Defendant an extension of time to  
3 respond to Plaintiff's Opening Brief. Defendant's Opposition Brief shall be filed no later than  
4 **December 13, 2016**. Any reply by Plaintiff may be filed no later than **December 28, 2016**.

5 The Court has further reviewed Defendant's response to its Order to Show Cause. (ECF  
6 No. 24.) While the Court understands that counsel may be responsible for a large number of  
7 cases, the management of deadlines within those cases is counsel's responsibility. The Court is  
8 willing to grant requests for extension of time liberally, but a complete failure to comply with a  
9 deadline, particularly a deadline that defense counsel himself requested (*see* ECF No. 21), falls  
10 well below the standard of practice expected. Nonetheless, the Court will take counsel at his  
11 word that he is taking measures to ensure that this does not occur again and DISCHARGES the  
12 Order to Show Cause (ECF No. 23).

13  
14 IT IS SO ORDERED.

15 Dated: November 30, 2016

16 /s/ Eric P. Gray  
17 UNITED STATES MAGISTRATE JUDGE  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28