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

CHRISTIN KAY BAER,) Case No. 1:15-cv-01358-SAB
)
Plaintiff,) **ORDER RE STIPULATION TO EXTEND**
) **BRIEFING SCHEDULE**
)
v.)
) **(ECF No. 16)**
)
CAROLYN W. COLVIN)
)
Acting Commissioner of Social Security,)
)
)
Defendant.)
)

IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, to extend Defendant’s time to file her responsive brief with the Court by 30 days to **September 28, 2016**, and that all other scheduling dates set forth in the Court’s Case Management Order shall be extended accordingly. This is Defendant’s first request for an extension of time in this matter, and she requests it in good faith and without any intent to prolong proceedings unduly.

There is good cause for this extension request. First, a 30-day extension is necessary because counsel for Defendant was (or will be) out of the office for significant portions of the period between August 15 and 29, 2016, and requires additional time to adequately research and analyze the factual record and Plaintiff’s legal claims. Second, counsel for Defendant has workload issues that preclude filing the responsive brief by August 29, 2016. Specifically, in

1 addition to the work-related travel and personal leave referenced above, counsel for Defendant is
2 responsible for drafting various pleadings before the district courts within the Ninth Circuit,
3 drafting an appellate pleading in a Social Security matter before the Ninth Circuit, and
4 negotiating or litigating attorney fee matters pursuant to the Equal Access to Justice Act.
5 Counsel for Defendant is also currently responsible for conducting discovery and drafting briefs
6 personnel litigation before the Equal Employment Opportunity Commission and Merit Systems
7 Protection Board.

8 Counsel for Defendant apologizes to Plaintiff and the Court for any inconvenience caused
9 by this delay.

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11 Respectfully submitted,

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13 Date: August 29, 2016

NEWEL LAW

14 By: /s/ Asim H. Modi for Melissa Newel*

Melissa Newel

*Authorized by email on August 29, 2016

Attorneys for Plaintiff

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16
17 Date: August 29, 2016

PHILLIP A. TALBERT

Acting United States Attorney

DEBORAH LEE STACHEL

Regional Chief Counsel, Region IX

Social Security Administration

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21
22 By: /s/ Asim H. Modi

ASIM H. MODI

Special Assistant United States Attorney

Attorneys for Defendant

23
24
25 **ORDER**

26 Accordingly, IT IS HEREBY ORDERED that the parties' stipulation for Defendant to
27 receive an extension of time to September 28, 2016, to file her responsive brief, and for all other
28

1 scheduling dates set forth in the Court's Case Management Order to be extended accordingly, is
2 approved. However, the parties are advised that due to the impact of social security cases on the
3 Court's docket and the Court's desire to have cases decided in an expedient manner, requests for
4 modification of the briefing scheduling will not routinely be granted and will only be granted
5 upon a showing of good cause. Further, requests to modify the briefing schedule that are made
6 on the eve of a deadline will be looked upon with disfavor and may be denied absent good cause
7 for the delay in seeking an extension.
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9
10 IT IS SO ORDERED.

11 Dated: August 30, 2016


12 UNITED STATES MAGISTRATE JUDGE