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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL CHARLES COLSTON,

Plaintiff

v.

CAROLYN W. COLVIN,
Acting Comm'r of Social Security,

Defendant

Case No. 1:15-cv-01750-SKO

**STIPULATION AND ORDER
FOR EXTENSION OF TIME
TO FILE PLAINTIFF'S MOTION
FOR SUMMARY JUDGMENT**

IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, to extend the time 30 Days to October 19, 2016, for Plaintiff to file his Opening Brief, in accordance with the Court's Scheduling Order. This is Plaintiff's second request for an extension. This extension is requested because 1) Plaintiff's counsel had health problems this summer that caused a work backlog; 2) Plaintiff's counsel mis-calendared the due date for the Opening Brief; 3) when Plaintiff's counsel was working on the Opening Brief last week, she lost her work because of a computer "glitch" of unknown origin; and 4) Plaintiff's counsel has six briefs due in the next two weeks, one Ninth Circuit brief, four Opening Briefs and one Reply brief and so will not be able to immediately resume work on this Opening Brief.

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

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4 Respectfully submitted,

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7 Date: September 27, 2016

JACQUELINE A. FORSLUND
Attorney at Law

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9 /s/Jacqueline A. Forslund
10 JACQUELINE A. FORSLUND

11 Attorney for Plaintiff

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13 Date: September 26, 2016

BENJAMIN B. WAGNER
United States Attorney
DEBORAH STACHEL
Acting Regional Chief Counsel, Region IX
Social Security Administration

17 /s/Jeffrey Chen
18 JEFFREY CHEN
19 Special Assistant United States Attorney
*By email authorization

20 Attorney for Defendant

21 **ORDER**

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23 Having considered Plaintiff's amended Stipulation for Extension of Time to File Plaintiff's
24 Motion for Summary Judgment above (Doc. 17), and in view of Defendant's lack of opposition to
25 Plaintiff's request for an extension, the Court finds that good cause has been shown to warrant
26 granting the request. *See* Fed. R. Civ. 16(b)(4).

27 Accordingly, IT IS HEREBY ORDERED that the deadline by which Plaintiff shall file his
28 summary judgment brief is extended to October 19, 2016. Defendant's responsive brief shall be filed

1 on or before November 21, 2016, and Plaintiff may file an optional reply brief on or before December
2 9, 2016.

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4 IT IS SO ORDERED.

5 Dated: September 29, 2016

/s/ Sheila K. Olerto
UNITED STATES MAGISTRATE JUDGE