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

EDWARD GARCIA,)	Case No.: 1:15-cv-1951-JLT
)	
Plaintiff,)	ORDER GRANTING DEFENDANT’S
)	REQUEST AN EXTENSION OF TIME TO FILE
v.)	A RESPONSE TO PLAINTIFF’S OPENING
)	BRIEF
CAROLYN W. COLVIN,)	
Acting Commissioner of Social Security,)	
)	
Defendant.)	

On October 21, 2016, Defendant filed a stipulation of the parties to extend time for the Commissioner to respond to Plaintiff’s opening brief. (Doc. 16) Notably, the Scheduling Order allows for a single extension of thirty days by the stipulation of the parties (Doc. 5 at 4), which was previously used by Plaintiff. (Docs. 11, 12) Beyond the single extension, “requests to modify [the scheduling] order must be made by written motion and will be granted only for good cause.” (Doc. 5 at 4) Thus, the Court construes the stipulation to be a motion to amend the Court’s scheduling order.

Defendant’s counsel, Jennifer Kenny, seeks an extension of four days to respond to Plaintiff’s opening brief. (Doc. 16) She asserts the extension is necessary due to her “exceptionally heavy workload and because ...[she] will be out of the office on approved leave, including the day the Opposition is currently due.” (*Id.* at 1) Plaintiff does not oppose the brief extension requested by Defendant. (*Id.* at 1-2)

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Good cause appearing, the Court **ORDERS:**

1. Defendant's request for an extension of time is **GRANTED**; and
2. Defendant **SHALL** file a responsive brief on or before **November 4, 2016**.

IT IS SO ORDERED.

Dated: October 26, 2016

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE