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

13 IGNACIO MURGUIA,) Case No. 1:16-cv-0452-BAM
14)
15 Plaintiff,) **STIPULATION AND ORDER TO**
16) **EXTEND BRIEFING SCHEDULE**
17 v.)
18)
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, to
22 extend Defendant's time to file her responsive brief with the Court by 30 days to **February 6,**
23 **2017**, and that all other scheduling dates set forth in the Court's Case Management Order shall
24 be extended accordingly. This is Defendant's first request for an extension of time in this matter,
25 and she requests it in good faith and without any intent to prolong proceedings unduly.

26 There is good cause for this extension request. First, a 30-day extension is necessary
27 because counsel for Defendant will be out of the office on scheduled leave from December 26,
28 2016, through January 10, 2017, and requires additional time to adequately research and analyze

1 the factual record and Plaintiff's legal claims. Second, counsel for Defendant has workload
2 issues that preclude filing the responsive brief by January 5, 2017. Specifically, in addition to
3 the scheduled leave referenced above, counsel for Defendant is currently responsible for drafting
4 substantive pleadings before the district courts within the Seventh and Ninth Circuit, drafting
5 appellate briefs in three Social Security matters before the Ninth Circuit, and negotiating or
6 litigating attorney fee matters pursuant to the Equal Access to Justice Act. Counsel for
7 Defendant is also currently responsible for conducting discovery and preparing for a hearing in
8 personnel litigation pending before the Merit Systems Protection Board.

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

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12 Respectfully submitted,

13
14 Date: December 20, 2016

LAW OFFICES OF LAWRENCE D.
ROHLFING

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16 By: /s/ Asim H. Modi for Monica Perales*
MONICA PERALES
17 *Authorized by email on December 20, 2016
Attorneys for Plaintiff

18
19 Date: December 20, 2016

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22
23 By: /s/ Asim H. Modi
ASIM H. MODI
24 Special Assistant United States Attorney
25 Attorneys for Defendant
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ORDER

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2 Based upon the stipulation of the parties, and for cause shown, IT IS HEREBY
3 ORDERED that Defendant shall have a 30-day extension, or until February 6, 2017, in which to
4 file a response to Plaintiff's Opening Brief; and that all other deadlines set forth in the Case
5 Management Order shall be extended accordingly.

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7 IT IS SO ORDERED.

8 Dated: December 21, 2016

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE

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