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5 Attorneys for Plaintiff ALICIA MARIE BURT

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7 **UNITED STATES DISTRICT COURT**
8 **EASTERN DISTRICT OF CALIFORNIA**
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10 ALICIA MARIE BURT,) Case No.: 1:16-cv-00533-BAM
11 Plaintiff,)
12 vs.) STIPULATION AND ORDER TO
13) EXTEND BRIEFING SCHEDULE
14 CAROLYN COLVIN, Acting) NUNC PRO TUNC
15 Commissioner of Social Security,)
16 Defendant)

17 TO THE HONORABLE BARBARA A. MCAULIFFE, MAGISTRATE JUDGE OF
18 THE DISTRICT COURT:

19 Plaintiff Alicia Marie Burt (“Plaintiff”) and defendant Carolyn Colvin, Acting
20 Commissioner of Social Security (“Defendant”), through their undersigned counsel of record,
21 hereby stipulate, pursuant to the Court’s Scheduling Order, to extend the time for Plaintiff to
22 provide Defendant with Plaintiff’s Settlement Letter Brief to October 25, 2016; and that
23 Defendant shall have until November 29, 2016, to provide a response.

24 This Court is aware that Counsel’s Spouse battled Stage IV breast cancer which
25 metastasized initially to her liver and continued to progress with tumors in her lungs, spine and
26 brain. After exhausting all known chemotherapy treatments over 18 months ago and surviving on

1 willful determination and profound faith alone Counsel's wife has succumbed to her illness. On
2 September 30, 2016 Counsel gently held his wife as she relinquished her fight and passed away.
3 Counsel requires the time to deal with providing the appropriate respect to his spouse.

4 DATE: October 25, 2016

Respectfully submitted,

LAW OFFICES OF LAWRENCE D. ROHLFING

/s/ Steven G. Rosales

BY: _____

Steven G. Rosales

Attorney for plaintiff PHILLIPS J. MONTALVO

8 DATE: October 25, 2016

BENJAMIN WAGNER

United States Attorney

Donna L. Calvert

Regional Chief Counsel, Region IX

Social Security Administration

*/S/- Carolyn B. Chen

Carolyn B. Chen

Special Assistant United States Attorney

Attorney for Defendant

[*Via email authorization]

14 **ORDER**

15 Having reviewed the above stipulation, IT IS HEREBY ORDERED that Plaintiff may
16 have an extension of time to provide Defendant with Plaintiff's Settlement Letter Brief to and
17 including October 25, 2016, *nunc pro tunc*; Defendant may have an extension of time to
18 November 29, 2016 to file her response. All other deadlines set forth in the Case Management
19 Order shall be extended accordingly.

20 IT IS SO ORDERED.

21 Dated: November 7, 2016

/s/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE

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