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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 LEE LEE XIONG,) Case No.: 1:16-cv-00582 - JLT
12 Plaintiff,)
13 v.) ORDER GRANTING PLAINTIFF'S REQUEST
14 NANCY A. BERRYHILL¹,) FOR AN EXTENSION OF TIME NUNC PRO
15 Acting Commissioner of Social Security,) TUNC AND AMENDING THE BRIEFING
16 Defendant.) SCHEDULE
) (Doc. 13)
)
)

17 On March 15, 2017, Plaintiff filed a stipulation of the parties for a three-day extension of time
18 for Plaintiff to file an opening brief. (Doc. 13) Notably, the Scheduling Order permits an extension of
19 time by stipulation, which has not been used by the parties. (See Doc. 6 at 4) Accordingly, the Court

20 **ORDERS:**

- 21 1. Plaintiff's request for an extension of time is granted nunc pro tunc; and
22 2. Plaintiff **SHALL** file an opening brief no later than **March 17, 2017**.
23

24 IT IS SO ORDERED.

25 Dated: **March 19, 2017**

/s/ Jennifer L. Thurston
26 UNITED STATES MAGISTRATE JUDGE
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¹ Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, the Court substitutes Nancy A. Berryhill for her predecessor, Carolyn W. Colvin, as the defendant.

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