

1 PHILLIP A. TALBERT
2 United States Attorney
3 DEBORAH LEE STACHEL, CSBN 230138
4 Regional Chief Counsel, Region IX
5 Social Security Administration
6 JENNIFER LEE TARN, CSBN 240609
7 Special Assistant United States Attorney
8 160 Spear Street, Suite 800
9 San Francisco, California 94105
10 Telephone: (415) 977-8825
11 Facsimile: (415) 744-0134
12 E-Mail: Jennifer.Tarn@ssa.gov
13 Attorneys for Defendant

11 **UNITED STATES DISTRICT COURT**
12 **EASTERN DISTRICT OF CALIFORNIA - FRESNO**

13 MARJORIE MAUPIN,
14 Plaintiff,

15 v.

16 NANCY A. BERRYHILL,
17 Acting Commissioner of Social
18 Security,
19 Defendant.

) Case No. 1:16-cv-00722-SKO

) **UNOPPOSED MOTION FOR FIRST**
) **EXTENSION OF TIME; ORDER**
) **GRANTING IN PART**

) **(Doc. 22)**

19 IT IS HEREBY STIPULATED, by and between Marjorie Maupin (Plaintiff) and
20 Nancy A. Berryhill, Acting Commissioner of Social Security (Defendant), by and
21 through their respective counsel of record, that Defendant shall have an extension of
22 time of forty-five (45) days to file her Opposition to Plaintiff's Opening Brief. The
23 current due date is June 21, 2017. The new date will be August 7, 2017. An extension
24 of time is needed because the attorney responsible for briefing this case had to take leave
25

1 in March and April due to surgery and is continuing to work through a backlog of cases.
2 This request is made in good faith with no intention to unduly delay the proceedings.

3 This is the first extension of time requested by Defendant in the above-captioned
4 matter. The parties further stipulate that the Court’s Scheduling Order shall be modified
5 accordingly, such that Plaintiff’s reply shall be due

6 Respectfully submitted,

7 Date: June 9, 2017

By: /s/ Kelsey Mackenzie Brown*
8 KELSEY MACKENZIE BROWN
9 Attorney for Plaintiff
10 (*As authorized by e-mail on June 9, 2017)

11 Date: June 9, 2017

PHILLIP A. TALBERT
12 United States Attorney

13 By: /s/ Jennifer Lee Tarn
14 JENNIFER LEE TARN
15 Special Assistant United States Attorney

16 Attorneys for Defendant

17
18 **ORDER**

19 Before the Court is the above “Unopposed Motion for First Extension of Time”
20 (the “Motion”), in which Defendant requests, and Plaintiff stipulates to, “an extension of
21 forty-five (45) days to file her Opposition to Plaintiff’s Opening Brief.” (Doc. 22.) The
22 Court finds that an extension is warranted. However, the Court is not persuaded that an
23 extension of forty-five days is appropriate.
24
25
26

1 Accordingly, the Court GRANTS the Motion in part, and ORDERS that:

2 (1) Defendant may file her opposition to Plaintiff's opening brief by no later than
3 July 21, 2017; and
4

5 (2) Plaintiff may file her optional reply brief by no later than August 7, 2017.

6 The Court CAUTIONS the parties that it will not entertain any further requests for
7 extensions in this matter.
8

9
10 IT IS SO ORDERED.

11 Dated: June 13, 2017

12 */s/ Sheila K. Oberto*
13 UNITED STATES MAGISTRATE JUDGE
14
15
16
17
18
19
20
21
22
23
24
25
26