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

|   |   |                                  |
|---|---|----------------------------------|
| KENNETH JOHN KLUTHE,                    | ) | Case No.: 1:16-cv-0742- JLT      |
| Plaintiff,                              | ) | ORDER GRANTING EXTENSION OF TIME |
| v.                                      | ) | (Doc. 17)                        |
| NANCY A. BERRYHILL <sup>1</sup> ,       | ) |                                  |
| Acting Commissioner of Social Security, | ) |                                  |
| Defendant.                              | ) |                                  |

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On July 12, 2017, the parties stipulated for a twenty-eight day extension of time for Plaintiff an opening brief. (Doc. 17) Notably, the Scheduling Order permits a single extension by the stipulation of parties (Doc. 8 at 4), and this is the first extension requested by either party. Accordingly, the Court

**ORDERS:**

1. The request for an extension of time is **GRANTED**; and
2. Plaintiff **SHALL** file an opening brief no later than **August 30, 2017**.

IT IS SO ORDERED.

|                             |   |
|-----------------------------|---|
| Dated: <u>July 14, 2017</u> | <u>/s/ Jennifer L. Thurston</u><br>UNITED STATES MAGISTRATE JUDGE |
|-----------------------------|---|

<sup>1</sup> 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.