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6 **UNITED STATES DISTRICT COURT**
7 **EASTERN DISTRICT OF CALIFORNIA**
8 **FRESNO DIVISION**
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10 GERALD DEAN COLE,) Case No.: 1:16-cv-00754-BAM
11 Plaintiff,)
12 vs.) **ORDER GRANTING DEFENDANT’S**
13 NANCY A. BERRYHILL,) **MOTION FOR EXTENSION OF TIME**
Acting Commissioner of Social Security,) **FOR DEFENDANT TO RESPOND TO**
14 Defendant.) **PLAINTIFF’S OPENING BRIEF**
15) (Doc. 26)

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17 On July 24, 2017, Defendant filed a motion requesting a seven-day extension of time to
18 respond to Plaintiff’s Opening Brief. (Doc. 26) This is Defendant’s second request for an
19 extension of time. Defendant contends that good cause exists to extend the current deadline
20 because of counsel’s unexpected leave from work in the last two weeks. Counsel explains that
21 she attempted to contact Plaintiff’s counsel regarding the extension, but had not received a
22 response as of the time of filing the instant motion. (*Id.* at pp. 1-2.)

23 Having considered the moving papers, the Court finds good cause for the requested
24 extension of time, and a response from Plaintiff is unnecessary. The short extension will not
25 unduly delay these proceedings and will serve the interests of justice in resolving this action on
26 the merits. Plaintiff will not be prejudiced by such a brief extension and the time for any reply
27 will be modified accordingly.
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1 For these reasons, IT IS HEREBY ORDERED that the Motion for Extension of Time for
2 Defendant to Respond Plaintiff's Opening Brief is GRANTED. Defendant shall file a response
3 to Plaintiff's Opening Brief on or before July 31, 2017. All other deadlines shall be extended
4 accordingly.

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6 IT IS SO ORDERED.

7 Dated: July 26, 2017

/s/ Barbara A. McAuliffe
8 UNITED STATES MAGISTRATE JUDGE