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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10 BERNADINE MARTIN-BARNETT,

11 Plaintiff,

12 v.

13 NANCY A. BERRYHILL, Acting
Commissioner of Social Security,

14 Defendant.

Case No. 1:16-CV-00780-EPG

STIPULATION AND PROPOSED ORDER
MODIFYING SCHEDULING ORDER

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16 IT IS HEREBY STIPULATED by and between the parties, subject to the Court's approval, that
17 the scheduling order in this action be further modified to extend the parties filing deadlines by
18 roughly 25 days.
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20 Modification is necessary, appropriate and in the interests of judicial economy because after the
21 exchange of letter briefs, plaintiff's counsel became aware of additional medical records which he
22 believes constitutes new and material evidence warranting remand under 42 U.S.C. § 405(g),
23 sentence six; such records have been provided for review by the Commissioner of Social Security,
24 whose review was ongoing until recently, but has not resulted in the resolution of this action. To
25 provide adequate time for plaintiff to complete her motion for summary judgment and meet the
26 professional standards of the Court, plaintiff's counsel requires an extension of existing deadlines by
27 25 days in light of interruptions associated with upcoming holidays and unanticipated demands in his
28 criminal calendar and other matters now pending. The parties believe and agree that a roughly 25
day extension of their respective merits filing deadlines is appropriate and is not prejudicial to either
party.

1 Accordingly, the parties agree to and request modification of the existing scheduling order and
2 outstanding deadlines, as follows:

3 January 5, 2018: Plaintiff to file and serve motion for summary judgment.

4 February 5, 2018: Defendant to file and serve cross-motion for summary judgment.

5 February 19, 2018: Plaintiff to file and serve response to cross-motion.

6 SO STIPULATED AND AGREED:
7

8 Dated: December 12, 2017

WEEMS LAW OFFICES

9 /s/ Robert C. Weems

10 Robert C. Weems,
Attorney for Plaintiff

11 Dated: December 12, 2017

12 PHILLIP A. TALBERT
United States Attorney
DEBORAH LEE STACHEL
Regional Chief Counsel, Region IX
Social Security Administration
13 TINA NAICKER
14 Special Assistant United States Attorney

15 /s/Tina Naicker

16 TINA NAICKER
Special Assistant United States Attorney and
17 Attorney for Defendant (per e-mail
authorization)
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ORDER

Pursuant to the parties' stipulation, the existing scheduling order and outstanding deadlines are CONTINUED as follows:

January 5, 2018: Plaintiff to file and serve motion for summary judgment.
February 5, 2018: Defendant to file and serve cross-motion for summary judgment.
February 19, 2018: Plaintiff to file and serve response to cross-motion.

No further extensions of time will granted in this case.

IT IS SO ORDERED.

Dated: **December 12, 2017**

/s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE