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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 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 to file
18 their respective motions for summary judgment by 5 days, plaintiff's reply date to remain unchanged.

19 Modification is necessary, appropriate and in the interests of judicial economy because of
20 unanticipated demands between January 2, 2018 and January 5, 2018, in plaintiff's counsel's
21 criminal defense calendar, which have interfered with the completion of plaintiff's motion for
22 summary judgment, and plaintiff's counsel believes that this short further extension of time is
23 necessary to permit the filing and meet the professional standards of the Court.

24 The parties believe and agree that an equal extension of the filing deadlines for their respective
25 motions for summary judgment without extension of plaintiff's reply deadline is appropriate, is not
26 prejudicial to either party, and should result in minimal disruption to their preparation for the Court's
27 hearing in this matter.

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

January 10, 2018: Plaintiff to file and serve motion for summary judgment.

February 12, 2018: Defendant to file and serve cross-motion for summary judgment.

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

SO STIPULATED AND AGREED:

Dated: January 8, 2018

WEEMS LAW OFFICES

/s/ Robert C. Weems

Robert C. Weems,
Attorney for Plaintiff

Dated: January 8, 2018

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

/s/Tina Naicker

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

1 **ORDER**

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

4 January 10, 2018: Plaintiff to file and serve motion for summary judgment.

5 February 12, 2018: Defendant to file and serve cross-motion for summary judgment.

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

7 No further extensions of time will granted in this case.

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9 IT IS SO ORDERED.

10 Dated: January 8, 2018

11 /s/ Eric P. Groj
12 UNITED STATES MAGISTRATE JUDGE
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