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8 Attorneys for Defendant

9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**
11 **FRESNO DIVISION**

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13 JENYNE THORNTON,) Case No.: 1:16-CV-00816-GSA
14 Plaintiff,)
15 vs.) **JOINT STIPULATION AND ORDER**
16 NANCY A. BERRYHILL,) **FOR EXTENSION OF TIME FOR**
Acting Commissioner of Social Security,) **DEFENDANT TO RESPOND TO**
17 Defendant.) **PLAINTIFF'S MOTION FOR**
18) **SUMMARY JUDGMENT**

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20 IT IS HEREBY STIPULATED, by the parties, through their respective counsel of record,
21 that the time for responding to Plaintiff's Motion for Summary Judgment be extended for two
22 days from August 16, 2017 to **August 18, 2017**. This is Defendant's fifth request for extension.
23 Good cause exists to grant Defendant's request for extension. Additional time is required as
24 Counsel was out on medical leave the week prior from her debilitating chronic migraines, which
25 causes partial vision loss. At the time Counsel made her last request for one-week extension,
26 Counsel did not anticipate having continuing chronic migraines. Counsel has over 50+ active
27 matters, of which require 2-3 dispositive motions until mid-September. As such, Counsel
28 became behind on her caseload from her unanticipated medical leave and needs additional time
JS for Extension of Time, Case No. 1:16-CV-00816-GSA

1 to properly respond to Plaintiff's Motion for Summary Judgment. Counsel for Defendant
2 apologizes for the belated nature of this request, but did not anticipate seeking an additional
3 extension due her ongoing medical condition. Defendant makes this request in good faith with
4 no intention to unduly delay the proceedings. Defendant will diligently meet the new deadline
5 without any further extensions. The parties further stipulate that the Court's Scheduling Order
6 shall be modified accordingly.

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8 Respectfully submitted,

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10 Dated: August 16, 2017

s/ *Melissa Newel
(*as authorized by email on August 16, 2017)
MELISSA NEWEL
Attorney for Plaintiff

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14 Dated: August 16, 2017

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18 By /s/ Tina L. Naicker
TINA L. NAICKER
Special Assistant U.S. Attorney
Attorneys for Defendant

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ORDER

Pursuant to the parties' stipulation (Doc. 31), Defendant's Opposition shall be filed no later than August 18, 2017. Any Reply is due fifteen (15) days after the filing of the Opposition.

IT IS SO ORDERED.

Dated: August 17, 2017

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE