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8 Attorneys for Defendant

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

13 ERIC BRIAN THOMAS,

14 Plaintiff,

15 vs.

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

17 Defendant.  
18

) Case No.: 1:16-CV-01044-EPG

) **STIPULATION AND ORDER FOR**  
) **EXTENSION OF TIME FOR**  
) **DEFENDANT TO FILE RESPONSE TO**  
) **PLAINTIFF'S MOTION FOR SUMMARY**  
) **JUDGMENT**

19  
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 three  
22 weeks from April 28, 2017, to **May 19, 2017**. This is Defendant's first request for extension.  
23 Good cause exists as counsel for Defendant had to take unanticipated medical leave to care of  
24 her elderly mother and has had debilitating migraines, which necessitated additional time off.  
25 Because of the unanticipated leave, counsel for Defendant has not had sufficient time to respond  
26 to various pending matters that currently conflict with the current deadline of April 28, 2017 or  
27 adequately research and analyze the issues presented by Plaintiff. Defendant respectfully  
28

1 requests additional time to respond to Plaintiff's Motion for Summary Judgment. Defendant  
2 makes this request in good faith with no intention to unduly delay the proceedings.

3 The parties further stipulate that the Court's Scheduling Order shall be modified  
4 accordingly.

5  
6 Respectfully submitted,

7  
8 Dated: April 21, 2017

/s/ \*Cyrus Safa  
9 (\*as authorized by email on April 21, 2017)  
10 CYRUS SAFA  
11 Attorney for Plaintiff

12 Dated: April 21, 2017

13 PHILLIP A. TALBERT  
14 United States Attorney  
15 DEBORAH LEE STACHEL  
16 Regional Chief Counsel, Region IX  
17 Social Security Administration

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By

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

**ORDER**

1 Based on the above stipulation and good cause appearing therein, the Court grants  
2 Defendant an extension of time to file her opposition to Plaintiff's opening brief. Defendant's  
3 opposition brief shall be filed no later than **May 19, 2017**. Plaintiff may file his reply brief no  
4 later than **June 5, 2017**.

5 No further extensions of this deadline will be granted.

6  
7 IT IS SO ORDERED.

8  
9 Dated: April 24, 2017

/s/ Eric P. Gray  
UNITED STATES MAGISTRATE JUDGE