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8 Attorneys for Defendant

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

12  
13 ERIC BRIAN THOMAS, ) Case No.: 1:16-CV-01044-EPG  
14 Plaintiff, )  
15 vs. ) **STIPULATION AND ORDER FOR**  
16 NANCY A. BERRYHILL, ) **EXTENSION OF TIME FOR**  
Acting Commissioner of Social Security, ) **DEFENDANT TO FILE RESPONSE TO**  
17 Defendant. ) **PLAINTIFF'S MOTION FOR SUMMARY**  
18 ) **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 two  
22 business days week from May 26, 2017, to **May 31, 2017**. This is Defendant's third request for  
23 extension. Good cause exists as counsel for Defendant took family medical leave to care for her  
24 mother who had surgery on May 19, 2017. Counsel is taking additional leave to take her mother  
25 to the doctor following complications from her surgery last week. Counsel for Defendant  
26 apologizes for the late request due to unforeseen circumstances which Counsel did not anticipate  
27 at the time of the last request. Due to unanticipated circumstances and unscheduled leave,  
28 Counsel did not have sufficient time to adequately research the issues raised in Plaintiff's brief in  
Joint Stipulation and Order re Extension of Time, Case No. 1:16-CV-01044-EPG

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

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

6  
7 Respectfully submitted,

8  
9 Dated: May 24, 2017

/s/ \*Cyrus Safa  
(\*as authorized by email on May 24, 2017)  
CYRUS SAFA  
Attorney for Plaintiff

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12  
13 Dated: May 24, 2017

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United States Attorney  
DEBORAH LEE STACHEL  
Regional Chief Counsel, Region IX  
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16  
17 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 31, 2017**. Plaintiff may file his reply brief no  
4 later than **June 15, 2017**.

5 No further extensions of Defendant's deadline will be granted.

6  
7 IT IS SO ORDERED.

8  
9 Dated: May 25, 2017

/s/ Eric P. Gray  
UNITED STATES MAGISTRATE JUDGE