

1 PHILLIP A. TALBERT
United States Attorney
2 DEBORAH LEE STACHEL, CSBN 230138
Regional Chief Counsel, Region IX
3 Social Security Administration
4 C. HAY-MIE CHO, CSBN 282259
Special Assistant United States Attorney
5 160 Spear Street, Suite 800
San Francisco, California 94105
6 Telephone: (415) 268-5610
7 Facsimile: (415) 744-0134
E-Mail: haymie.cho@ssa.gov

8
9 Attorneys for Defendant

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

13 ADRIANA CHAVEZ,) Case No.: 1:16-cv-01251-BAM
14)
Plaintiff,)
15) STIPULATION AND ORDER FOR AN
vs.) EXTENSION OF TIME FOR DEFENDANT
16) TO FILE HER RESPONSIVE BRIEF
NANCY A. BERRYHILL,¹)
17)
Acting Commissioner of Social Security,)
18)
Defendant.)
19

20 IT IS HEREBY STIPULATED, by and between the parties, through their respective
21 counsel of record, that the deadline for Defendant to respond to Plaintiff's Motion For Summary
22 Judgment and/or to file any cross-motion thereto be extended by sixty (60) days. Plaintiff filed
23 her brief on May 10, 2017 after one extension.
24

25
26 ¹ Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d)
27 of the Federal Rules of Civil Procedure, Nancy A. Berryhill should be substituted for Acting
28 Commissioner Carolyn W. Colvin as the defendant in this suit. No further action needs to be
taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security
Act, 42 U.S.C. § 405(g).

1 There is good cause for this extension because Defendant needs additional time to draft
2 and file her brief due to the heavy workload of Defendant's attorney assigned to this case.
3 Defendant's attorney currently has 33 pending District Court cases that are in various stages of
4 litigation, eight of which require imminent briefing, and additionally handles employment and
5 privacy matters for the agency.
6

7 The current due date for Defendant's motion is June 9, 2017. With the Court's approval,
8 the new due date would be August 7, 2017. The parties further stipulate that the Court's
9 Scheduling Order, dated August 30, 2016, shall be modified accordingly.
10

11 Dated: June 5, 2017

Respectfully submitted,
/s/ Cyrus Safa
CYRUS SAFA
Attorney for Plaintiff
*Authorized via e-mail on June 1, 2017

14 Dated: June 5, 2017

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

18 By: /s/ C. Hay-Mie Cho
19 C. HAY-MIE CHO
20 Special Assistant U.S. Attorney
21 Attorneys for Defendant

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 **ORDER**

2 Pursuant to the Parties' Stipulation for an Extension of Time, IT IS HEREBY
3 ORDERED that that Defendant shall have a 60-day extension, or until August 7, 2017, to submit
4 her response to Plaintiff's Opening Brief. (Doc. 17). All other dates in the Scheduling Order
5 shall be extended accordingly. This is the first extension of time requested by Defendant.
6 However, given the lengthy extension, Defendant is warned that any further request for an
7 extension will be denied absent a showing of good cause.

8 IT IS SO ORDERED.

9
10 Dated: June 5, 2017

/s/ Barbara A. McAuliffe
11 UNITED STATES MAGISTRATE JUDGE