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

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13 NICK ANGELO SPALLIERO,) Case No.: 1:16-CV-01387-BAM
14 Plaintiff,) **JOINT STIPULATION AND ORDER FOR**
15 vs.) **EXTENSION OF TIME FOR**
16 NANCY A. BERRYHILL,) **DEFENDANT TO RESPOND TO**
Acting Commissioner of Social Security,) **PLAINTIFF'S MOTION FOR SUMMARY**
17 Defendant.) **JUDGMENT**
18)
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
22 approximately two weeks from July 24, 2017 to August 7, 2017. This is Defendant's second
23 request for extension. Good cause exists to grant Defendant's request for extension. Additional
24 time is required as counsel for Defendant (Counsel) was unexpectedly out of the office last week
25 due to food poisoning. Due to current workload demands and shortened staff, Counsel currently
26 has over 50+ active pending matters, with two or more dispositive motions due per week until
27 mid-August. Due to the unexpected medical leave, Counsel became behind on her caseload.
28 Defendant respectfully requests additional time in order to adequately assess and respond to

1 Plaintiff's Motion. Defendant makes this request in good faith with no intention to unduly delay
2 the proceedings. The parties further stipulate that the Court's Scheduling Order shall be
3 modified accordingly.

4 Respectfully submitted,

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6 Dated: July 18, 2017

/s/ *Cyrus Safa
(*as authorized by email on July 18, 2017)
CYRUS SAFA
Attorney for Plaintiff

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10 Dated: July 18, 2017

PHILLIP A. TALBERT
United States Attorney
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14 By /s/ Tina L. Naicker
TINA L. NAICKER
Special Assistant U.S. Attorney
Attorneys for Defendant

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17 **ORDER**

18 Based upon the stipulation of the parties, and for cause shown, IT IS HEREBY
19 ORDERED, that Defendant shall have a fourteen-day extension of time, to and including **August**
20 **7, 2017**, in which to file a response Plaintiff's Motion for Summary Judgment; and that all other
21 deadlines set forth in the Court's Scheduling Order shall be extended accordingly.

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23 IT IS SO ORDERED.

24 Dated: July 19, 2017

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE

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