UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

MORGHAN JUSTYNE CHAVEZ,) Case No.: 1:16-cv-01559- JLT
Plaintiff,	ORDER GRANTING A FURTHER EXTENSION OF TIME
v.	(Doc. 17)
NANCY A. BERRYHILL ¹ , Acting Commissioner of Social Security,)))
Defendant.))

On August 17, 2017, the parties filed a stipulation for an extension of time for Defendant to file a response to Plaintiff's opening brief. (Doc. 17) The Scheduling Order allows for a single extension of thirty days by the stipulation of the parties (Doc. 5 at 4), which was previously used by Defendant for filing a responsive brief. (Docs. 15, 16)

Beyond the single extension by stipulation, "requests to modify [the scheduling] order must be made by written motion and will be granted only for good cause." (Doc. 5 at 4) Accordingly, the Court construes the stipulation of the parties to be a motion by Defendant to amend the Scheduling Order. Defendant's counsel, Donna Anderson, previously requested the extension of time because she had "conflicting due dates." (Doc. 15 at 1) Ms. Anderson now seeks a further extension of time "to allow the agency to fully consider the government's position." (Doc. 17 at 1-2) Plaintiff does not

¹ Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, the Court substitutes Nancy A. Berryhill for her predecessor, Carolyn W. Colvin, as the defendant.

oppose the request for a further extension of time, or modification of the Court's Scheduling order. (See Doc. 17 at 2) Accordingly, the Court **ORDERS**: 1. The request for an extension of time is **GRANTED**; Defendant SHALL file a response to the opening brief no later than September 20, 2. ; and 3. The parties are advised that no further extensions of time will be granted in this action absent a showing of exceptionally good cause. IT IS SO ORDERED. /s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE Dated: **August 22, 2017**