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9 MICHELLE L. ROQUE

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

10 MICHELLE L. ROQUE) Case No.: 1:17-cv-00192-SKO
11 Plaintiff,)
12 v.) STIPULATION TO EXTEND TIME
13 NANCY A. BERRYHILL, Acting) TO FILE PLAINTIFF'S OPENING
14 Commissioner of Social Security.) BRIEF; ORDER
15 Defendant.) (SECOND REQUEST)
16) (Doc. 21)
17)
18)

16 Plaintiff Michelle L. Roque and Defendant Nancy A. Berryhill, Acting
17 Commissioner of Social Security, through their undersigned attorneys, stipulate,
18 subject to this court's approval, to extend the time by 28 days from December 7,
19 2017 to January 4, 2018 for Plaintiff to file a Plaintiff's Opening Brief, with all
20 other dates in the Court's Order Concerning Review of Social Security Cases
21 extended accordingly. This is Plaintiff's second request for an extension, the first
22 being related to the settlement proposal.

23 This request is made at the request of Plaintiff's counsel to allow additional
24 time to fully research the issues presented. Plaintiff's counsel missed work for part
25 of last week due to the flu. Plaintiff's counsel subsequently attended an out-of-state

1 hearing within the last week. As a result of counsel's illness, counsel required
2 extensions on briefing due last week, which bled into the current week. Counsel
3 has had five dispositive motions due this week alone. Counsel attempted to get
4 ahead of the briefing by working over the weekend, but will be unable to complete
5 the briefing in this case by the end of the day.

6 Counsel has met with members of his office today and begun the process of
7 re-assigning several cases internally to help alleviate Counsel's workload and
8 avoid any further extensions. Counsel is aware of the Court's heavy workload and
9 sincerely apologizes for any inconvenience this request may have on the Court, its
10 staff, and all parties involved.

11 | DATE: December 7, 2017

Respectfully submitted,

LAWRENCE D. ROHLFING

/s/ *Cyrus Safa*

BY: _____

Cyrus Safa
Attorney for plaintiff Michelle L. Roque

DATE: December 7, 2017

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

/s/ *Margaret T. Branick-Abilla*

BY:

Margaret I. Branick-Abilla
Special Assistant United States Attorney
Attorneys for defendant Nancy A. Berryhill
|*authorized by e-mail|

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ORDER

Pursuant to the parties' above stipulation showing good cause for a requested extension of time for Plaintiff to file her Opening Brief (Doc. 21), the request is hereby GRANTED.

Plaintiff shall file her Opening Brief on or before January 4, 2018. All other deadlines set forth in the Scheduling Order (Doc. 11) are modified accordingly.

IT IS SO ORDERED.

Dated: December 8, 2017

181 Sheila K. Oberto

UNITED STATES MAGISTRATE JUDGE