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

13 DONNA A. RAVISCIONI BRUMBAUGH,) Case No. 1:17-cv-0516-GSA
14 Plaintiff,)
15 v.) **STIPULATION AND ORDER TO**
16) **EXTEND BRIEFING SCHEDULE**
17 NANCY A. BERRYHILL,)
Acting Commissioner of Social Security,)
18 Defendant.)
19)

20 IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, to
21 extend Defendant's time to file her responsive brief with the Court by 21 days to **February 26,**
22 **2018**, and that all other scheduling dates set forth in the Court's Case Management Order shall
23 be extended accordingly. This is Defendant's second request for an extension of time in this
24 matter and she requests it in good faith and without any intent to prolong proceedings unduly.¹
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28 ¹ Defendant sought an extension on August 31, 2017, to prepare and file a complete and accurate certified administrative record for the instant case.

1 There is good cause for this extension request because counsel for Defendant has
2 workload issues that preclude filing her responsive brief on February 5, 2018. In particular,
3 counsel for Defendant is currently responsible for performing an extensive range of tasks,
4 including: preparing for a February 5, 2018, oral argument before the Ninth Circuit in a Social
5 Security case; reviewing the excerpts of record and drafting the Commissioner's answering brief
6 in a different Social Security case before the Ninth Circuit; drafting briefs and summary
7 judgment motions and negotiating (or litigating) attorney fee matters pursuant to the Equal
8 Access to Justice Act before the district courts within the Ninth Circuit; conducting a mediation
9 in personnel-litigation pending before the Equal Employment Opportunity Commission (EEOC);
10 conducting discovery in personnel-related litigation pending before the EEOC; preparing for an
11 arbitration proceeding involving the agency and one of the agency's collective bargaining units;
12 and assisting with implementing the terms of the class action settlement reached in *Hart v.*
13 *Berryhill* (N.D.Cal. No. 3:15-cv-623-JST).

14 Counsel for Defendant apologizes to Plaintiff and the Court for any inconvenience caused
15 by this delay.

16 Respectfully submitted,

17
18 Date: January 31, 2018

PENA & BROMBERG, PLC

19 By: /s/ Asim H. Modi for Jonathan O. Pena*
20 JONATHAN O. PENA
21 *Authorized by email on January 31, 2018
Attorneys for Plaintiff

22 Date: January 31, 2018

MCGREGOR W. SCOTT
United States Attorney
DEBORAH LEE STACHEL
Regional Chief Counsel, Region IX

25 By: /s/ Asim H. Modi
26 ASIM H. MODI
27 Special Assistant United States Attorney
Attorneys for Defendant

ORDER

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2 Defendant Opposition/Response shall be filed no later than **February 26, 2018**. Any
3 optional Reply shall be filed no later than fifteen (15) days after the filing of the Opposition.

4 IT IS SO ORDERED.

5 Dated: **February 1, 2018**

6 **/s/ Gary S. Austin**
7 UNITED STATES MAGISTRATE JUDGE

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