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

12
13 FRED D. MCMILLEN IV,) Case No.: 1:17-cv-00664-SKO
14 Plaintiff,)
15 vs.) STIPULATION AND ORDER FOR A
16 NANCY A. BERRYHILL,) THIRD EXTENSION OF TIME OF 14 DAYS
Acting Commissioner of Social Security,) FOR DEFENDANT’S RESPONSE TO
17 Defendant.) PLAINTIFF’S OPENING BRIEF
) (Doc. 22)
18)

19
20 IT IS HEREBY STIPULATED, by and between the parties, through their respective
21 counsel of record, that Defendant shall have an extension of time of 14 additional days to
22 respond to Plaintiff’s opening brief. The current due date is May 18, 2018. The new due date
23 will be June 1, 2018.

24 Since the granting of Defendant’s previous request for a 14-day extension of time,
25 Defendant’s counsel has been diligently addressing her full workload and a backlog of cases due
26 to her leave to attend to a personal emergency from about a month ago. Defendant’s counsel is
27 continuing to prioritize this case while addressing her remaining workload.
28

1 Thus, Defendant is respectfully requesting additional 14 days, up to and including June 1,
2 2018, to fully review the record and research the issues presented by Plaintiff's opening brief in
3 this case. This request is made in good faith with no intention to unduly delay the proceedings.
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5 Respectfully submitted,

6 Date: May 18, 2018

FORSLUND LAW LLC

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8 s/ Jacqueline A. Forslund by C.Chen*
9 (As authorized by email on 5/18/2018)
10 JACQUELINE A. FORSLUND
11 Attorneys for Plaintiff

12 Date: May 18, 2018

MCGREGOR W. SCOTT
United States Attorney

13 By s/ Carolyn B. Chen
14 CAROLYN B. CHEN
Special Assistant U. S. Attorney

15 Attorneys for Defendant
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17 ORDER
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19 The Court is in receipt of Defendant's third "Stipulation for an Extension of Time of 14
20 Days for Defendant's Response to Plaintiff's Opening Brief." (Doc. 22.) Pursuant to parties'
21 second "Stipulation for Extension of Time" for (Doc. 21), Defendant's response to Plaintiff's
22 Opening Brief was due May 18, 2018, the same day on which Defendant filed the present third
23 request for extension.

24 Requests for extension are governed by Rule 144 of the Local Rules of the United States
25 District Court, Eastern District of California ("Local Rules"). Local Rule 144(d) explains that
26 "[r]equests for Court-approved extensions brought on the required filing date for the pleading or
27 other document are looked upon with disfavor." The parties are hereby ADMONISHED that
28 any future requests for extensions of time shall be brought in advance of the required filing date

1 and be supported by good cause under Fed. R. Civ. P. 16(b)(4). However, given defense
2 counsel's representations that she "has been diligently addressing her full workload and a
3 backlog of cases due to her leave to attend to a personal emergency from about a month ago"
4 (*see* Doc. 22 at 1), and the fact that Plaintiff consents to the request, the Court GRANTS the
5 parties' request for an extension.

6 IT IS HEREBY ORDERED that Defendant has until June 1, 2018, to submit a response
7 to Plaintiff's Opening Brief. All other dates in the Scheduling Order (Doc. 6) shall be extended
8 accordingly.

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10 IT IS SO ORDERED.

11 Dated: May 21, 2018

/s/ Sheila K. Oberto
12 UNITED STATES MAGISTRATE JUDGE
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