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9 Attorneys for Defendant

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

13 LISA LEANNE CLAUSEN,	)	Case No.: 1:17-cv-01484-SAB
14 Plaintiff,	)	
15 vs.	)	ORDER DISCHARGING ORDER TO
16 NANCY A. BERRYHILL,	)	SHOW CAUSE AND GRANTING
17 Acting Commissioner of Social Security,	)	STIPULATION FOR AN EXTENSION OF
18 Defendant.	)	TIME
	)	(ECF Nos. 18, 19)

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20 TO THE HONORABLE STANLEY A. BOONE, MAGISTRATE JUDGMENT OF THE  
21 UNITED STATES DISCRICT COURT:

22 Defendant Nancy A. Berryhill hereby responds to the Order to Show Cause (OSC) (Dkt.  
23 No. 18). Defendant apologizes to this Court and to Plaintiff for failing to file her opening brief  
24 in a timely manner. Due the Court's previous OSC (Dkt. No. 14), and Defendant's counsel's  
25 need to take intermittent medical leave during the last several months, counsel neglected to set  
26 this case back on her calendar after Plaintiff filed her brief and the Court discharged the OSC  
27 (Dkt. No. 17).  
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1 Federal Rules of Civil Procedure 60(b) allows the court to relieve a party and/or counsel  
2 for mistake, inadvertence, or excusable neglect. Counsel's mistake falls within the parameters of  
3 this rule. Due to counsel's ongoing health issues and a very heavy workload, Defendant  
4 respectfully requests a 30-day extension from the current due date to file her opening brief. The  
5 current due date is August 13, 2018, and the new due date would be September 12, 2018.  
6 Plaintiff has stipulated to this extension. The Commissioner sincerely apologizes to this Court  
7 and to Plaintiff for any inconvenience cause by the delay.

8 The parties further stipulate that the Court's Scheduling Order shall be modified  
9 accordingly, with Plaintiff's reply due September 17, 2018.

10  
11 Respectfully submitted,

12 Dated: August 9, 2018

/s/ Cyrus Safa  
(\*as authorized via email on August 9, 2018)  
CYRUS SAFA  
Attorney for Plaintiff

15 Dated: August 9, 2018

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

19 By: /s/ Gina Tomaselli  
20 GINA TOMASELLI  
21 Special Assistant U.S. Attorney  
22 Attorneys for Defendant

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ORDER

Pursuant to the stipulation of the parties, IT IS HEREBY ORDERED that:

1. The order to show cause issued August 9, 2018 is DISCHARGED;
2. Defendant's response to Plaintiff's opening brief shall be filed on or before September 12, 2018; and
3. Plaintiff's reply, if any, shall be filed on or before September 27, 2018.

IT IS SO ORDERED.

Dated: August 13, 2018

  
UNITED STATES MAGISTRATE JUDGE