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8 Attorneys for Defendant

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

13 DIANE D. BROOKS,
 14 Plaintiff,
 15 vs.
 16 NANCY A. BERRYHILL,
 Acting Commissioner of Social Security,
 17 Defendant.
 18

) Case No.: 1:17-cv-01506-BAM

) **JOINT STIPULATION AND ORDER FOR**
) **EXTENSION OF TIME FOR**
) **DEFENDANT TO RESPOND TO**
) **PLAINTIFF’S OPENING BRIEF.**

19 IT IS HEREBY STIPULATED, by the parties, through their respective counsel of record,
 20 that the time for responding to Plaintiff’s Opening Brief be extended from September 12, 2018 to
 21 **October 17, 2018**. This is Defendant’s first request for extension. Good cause exists to grant
 22 Defendant’s request for extension. Counsel has had three deaths in her family since June and
 23 was out on intermittent bereavement and medical leave for a family medical emergency that
 24 required hospital admission and surgery. Counsel was also out of the office on September 7th
 25 and 8th, 2018. Counsel has over 75+ active social security matters, of which require two or more
 26 dispositive motions a week until mid October. In addition, Counsel has a Ninth Circuit matter
 27 that is due in early October. As a result of Counsel’s leave and heavy workload, Defendant
 28 needs additional time to adequately review the transcript and properly respond to Plaintiff’s
 JS for Extension of Time and PO, Case No. 1:17-cv-01506-BAM

1 Motion for Remand. Defendant makes this request in good faith with no intention to unduly
2 delay the proceedings. Counsel apologizes for the belated request, but did not anticipate taking
3 additional leave from the several family deaths and family medical emergency. The parties
4 further stipulate that the Court's Scheduling Order shall be modified accordingly.
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6

7 Respectfully submitted,

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9 Dated: September 12, 2018

/s/ *Larry Rohlfing
(*as authorized by email on September 12, 2018)
LARRY ROHLFING
Attorney for Plaintiff

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13 Dated: September 12, 2018

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17 By /s/ Tina L. Naicker
TINA L. NAICKER
Special Assistant U.S. Attorney
Attorneys for Defendant

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20 **ORDER**

21 Pursuant to the parties' stipulation, and good cause appearing, IT IS HEREBY
22 ORDERED that Defendant shall have an extension of time to October 17, 2018, in which to file
23 a response to Plaintiff's Opening Brief. All other deadlines set forth in the Court's Scheduling
24 Order are extended accordingly.
25 IT IS SO ORDERED.

26 Dated: September 13, 2018

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE