

1 MCGREGOR W. SCOTT
2 United States Attorney
3 DEBORAH LEE STACHEL
4 Regional Chief Counsel, Region IX
5 Social Security Administration
6 SHARON LAHEY
7 Special Assistant United States Attorney
8 160 Spear Street, Suite 800
9 San Francisco, California 94105
10 Telephone: 415-977-8963
11 Facsimile: 415-744-0134
12 E-mail: Sharon.Lahey@ssa.gov

13 Attorneys for DEFENDANT

14 UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA
16 FRESNO

17 ROSEMARY TAYLOR,

18 Plaintiff,

19 vs.

20 NANCY A. BERRYHILL, Acting
21 Commissioner Of Social Security,

22 Defendant.

23) CASE No. 1:17-cv-01634-SKO

24) **STIPULATION AND ORDER TO**
25) **EXTEND TIME FOR DEFENDANT TO**
26) **RESPOND TO PLAINTIFF'S OPENING**
27) **BRIEF**

28) **(Doc. 15)**

29 ROSEMARY TAYLOR (Plaintiff) and NANCY A. BERRYHILL, Acting
30 Commissioner Of Social Security (Defendant or the Commissioner), hereby stipulate, subject to
31 the approval of the Court, to a five-day extension of time for Defendant to respond to Plaintiff's
32 Opening Brief (Docket Number 12). This is the second request for an extension of time sought
33 in the above-captioned matter. The current deadline was September 24, 2018, and the new
34 deadline would be September 28, 2018. Defendant requests this additional time because the
35 Commissioner has agreed to voluntarily remand this case without further briefing.

36 ////

1 extension of time after the deadline), and in view of the liberal construction of Fed. R. Civ. 6(b)(1) to
2 effectuate the general purpose of seeing that cases are tried on the merits, *see Ahanchian v. Xenon Pictures,*
3 *Inc.*, 624 F.3d 1253, 1258–59 (9th Cir. 2010), the Court GRANTS the parties’ stipulated request. **The**
4 **parties are cautioned that future post hoc requests for extensions of time will be viewed with**
5 **disfavor.**

6
7 IT IS HEREBY ORDERED that Defendant shall have an extension of time, to and including
8 September 28, 2018, by which to file her answering brief. All other deadlines set forth in the Scheduling
9 Order (Doc. 5) are modified accordingly.

10
11
12 IT IS SO ORDERED.

13
14 Dated: September 26, 2018

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE