

1 MCGREGOR W. SCOTT
United States Attorney
2 DEBORAH LEE STACHEL
Regional Chief Counsel, Region IX
3 Social Security Administration
4 CAROLYN B. CHEN, CSBN 256628
Special Assistant United States Attorney
5 160 Spear Street, Suite 800
San Francisco, California 94105
6 Telephone: (415) 977-8956
7 Facsimile: (415) 744-0134
E-Mail: Carolyn.Chen@ssa.gov
8 Attorneys for Defendant

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

13 ANTHONY JONES,

14 Plaintiff,

15 vs.

16 ANDREW SAUL,
Commissioner of Social Security,

17 Defendant.
18

) Case No.: 1:18-cv-01739-BAM
)
)

) STIPULATION AND ORDER FOR AN
) EXTENSION OF TIME OF 30 DAYS FOR
) DEFENDANT’S RESPONSE TO
) PLAINTIFF’S OPENING BRIEF
)
)
)

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 30 additional days to respond
22 to Plaintiff’s opening brief. The current due date is October 4, 2019. The new due date will be
23 November 4, 2019.

24 This is Defendant’s first request for an extension of time for briefing and the second request
25 in this case overall. There is good cause for this request. Since the filing of Plaintiff’s opening
26 brief, Defendant’s counsel diligently worked on various district court cases and other substantive
27 non-court matters, some of which required more time to complete than anticipated. Before and
28 around the original due date of October 4, 2019, counsel will be on pre-approved leave. Counsel

1 also has about 12 district court matters scheduled between October 4, 2019, to November 4, 2019.
2 Some of the other cases have been previously extended by other plaintiffs or Defendant, and
3 counsel is prioritizing older cases or cases where she requested an extension but was unsuccessful
4 in obtaining an extension despite her attempts. She requires additional time to review the record
5 in this case, to evaluate the issues raised in Plaintiff's brief, to determine whether options exist for
6 settlement, and if not, to prepare Defendant's response to Plaintiff's brief.

7 Thus, Defendant is respectfully requesting additional time up to and including November
8 4, 2019, to respond to Plaintiff's opening brief. This request is made in good faith with no intention
9 to unduly delay the proceedings. Defendant apologizes for the delay and any inconvenience
10 caused by the delay.

11 The parties further stipulate that the Court's Scheduling Order shall be modified
12 accordingly.

13 Respectfully submitted,

14 Date: October 2, 2019

15 NEWEL LAW
16 s/ Melissa Newel by C.Chen*
17 (As authorized by email on 10/2/2019)
18 MELISSA NEWEL
19 Attorneys for Plaintiff

20 Date: October 2, 2019

21 MCGREGOR W. SCOTT
22 United States Attorney

23 By s/ Carolyn B. Chen
24 CAROLYN B. CHEN
25 Special Assistant U. S. Attorney

26 Attorneys for Defendant

27 **ORDER**

28 Pursuant to the parties' stipulation, and good cause appearing, Defendant's request for an
extension of time to file a response to Plaintiff's Opening Brief is GRANTED. Defendant shall

1 file a response to Plaintiff's Opening Brief on or before November 4, 2019. All other deadlines
2 in the Court's Scheduling Order are modified accordingly.
3 IT IS SO ORDERED.

4 Dated: October 3, 2019

/s/ Barbara A. McAuliffe
5 UNITED STATES MAGISTRATE JUDGE