

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

KRISTEN ALICIA DALE,  
  
Plaintiff,  
  
v.  
  
KILOLO KIJAKAZI, acting  
Commissioner of Social Security,  
  
Defendant.

CASE NO.: 1:20-cv-00344-BKA-GSA

**ORDER GRANTING DEFENDANT  
EXTENSION TO FILE RESPONSE TO  
PLAINTIFF'S MOTION FOR  
SUMMARY JUDGMENT**

The parties stipulate to a 36-day extension of time from January 10, 2021 to February 15, 2022 for Defendant to respond to Plaintiff's motion for summary judgment due to counsel's workload. This is Defendant's second extension.

The Scheduling Order allows for a single extension of thirty days by the stipulation of the parties. Doc. 5 at 3. Beyond the single extension by stipulation, "requests to modify [the scheduling] order must be made by written motion and will be granted only for good cause." *Id.*

When considering whether good cause exists to modify a scheduling order, courts consider the foreseeability of the impediment to meeting the deadline and the party's diligence in seeking the extension once it became apparent they could not meet the deadline. *See Sharp v. Covenant Care LLC*, 288 F.R.D. 465, 467 (S.D. Cal. 2012); *Ordaz Gonzalez v. Cty. of Fresno*, No. 1:18-CV-01558-BAM, 2020 WL 2539287, at \*2 (E.D. Cal. May 19, 2020). The Court has the inherent power to manage its own docket to achieve an orderly and expeditious resolution of cases. *Southern California Edison Co. v. Lynch*, 307 F.3d 794 (9th Cir. 2002).

Counsel identified good cause for the extension and sought it sufficiently in advance of the January 10 deadline.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Accordingly, it is **ORDERED** that Defendant’s deadline to respond to Plaintiff’s motion for summary judgment is extended to and including February 15, 2022. All other deadlines are adjusted accordingly.

IT IS SO ORDERED.

Dated: January 10, 2022

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE