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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

Jeffery Scott Smith,
Plaintiff,

vs.

Kilolo Kijakazi, Acting
Commissioner of Social Security,
Defendant.

Case No. 1:21-cv-01160-SKO

STIPULATION AND ORDER FOR
EXTENSION OF TIME

(Doc. 12)

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from December 20, 2021 to February 18, 2022, for Plaintiff to serve on defendant with PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's first request for an extension of time. Good cause exists for this extension. Counsel has recently received a greater number of Answers and

1 Certified Administrative Records from defendant in cases in this district, and the
2 three other California Districts, each of which require settlement negotiations or
3 merit briefing. Counsel has a greater than usual number of merit briefs due in
4 December 2021. For the weeks of December 13, 2021 and December 20, 2021,
5 Counsel has nine merit briefs and several settlement letters. Counsel also has 19
6 administrative hearings before the Office of Hearings Operations. For the
7 remainder of December 2021, Counsel has nine other merit briefs scheduled due.

8 Counsel has also received an increase in the number of AC denials which
9 require a review for possible filing in US District Court. Lastly, Counsel has end
10 of the year business reviews to conduct as the CEO of Peña & Bromberg, PC.

11 Due to the increase in certified administrative records being filed by
12 defendant, Counsel for Plaintiff has a larger than usual number of briefs due for the
13 month of December 2021.

14 Compounding the issue of an increased number of merit briefs due, Counsel
15 has preplanned vacation days for the Christmas holidays. Counsel respectfully
16 requests the Court granted the requested extension.

17 Counsel for the Plaintiff does not intend to further delay this matter.
18 Defendant does not oppose the requested extension. Counsel apologizes to the
19 Defendant and Court for any inconvenience this may cause.

20
21 Respectfully submitted,

22 Dated: November 19, 2021 PENA & BROMBERG, ATTORNEYS AT LAW
23

24 By: /s/ Jonathan Omar Pena
25 JONATHAN OMAR PENA
26 Attorneys for Plaintiff
27
28

1 Dated: November 19, 2021

PHILLIP A. TALBERT
Acting United States Attorney
DEBORAH LEE STACHEL
Regional Chief Counsel, Region IX
Social Security Administration

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6 By: **/s/ Patrick William Snyder*
Patrick William Snyder
Special Assistant United States Attorney
Attorneys for Defendant
(*As authorized by email on November 19, 2021)

10 **ORDER**

12 Based upon the foregoing stipulation of the parties (Doc. 12), and for good
13 cause shown (Fed. R. Civ. P. 16(b)(4)),

14 IT IS HEREBY ORDERED that Plaintiff shall have an extension of time, to
15 and including February 18, 2022, in which to file Plaintiff's motion for summary
16 judgment. All other deadlines set forth in the Scheduling Order (Doc. 11) shall be
17 extended accordingly.

18
19 IT IS SO ORDERED.

20 Dated: **November 19, 2021**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE