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

11
12 JONATHAN RAY RODRIGUEZ-BORGES,) Case No.: 1:23-cv-01574-SKO
13 Plaintiff,) STIPULATION AND UNOPPOSED
14 vs.) MOTION FOR AN EXTENSION OF TIME;
15 COMMISSIONER OF SOCIAL SECURITY,) ORDER
16 Defendant.)
17)

18
19 Pending the Court's approval, IT IS HEREBY STIPULATED, by and between the
20 parties, through their respective counsel of record, that the time for Defendant to respond to
21 Plaintiff's Motion for Summary Judgment be extended thirty (30) days from May 13, 2024, up to
22 and including June 12, 2024. This is the Defendant's first request for an extension.

23 Defendant requests this extension in good faith and with good reason. The instant case
24 was recently reassigned to a new attorney for briefing under the supervision of the undersigned
25 counsel for the Commissioner. Reviewing the new attorney will require a significant amount of
26 time and work in addition to the work required on the undersigned's own cases. Defendant's
27 undersigned counsel currently has two other district court briefs due the same week as this case,
28 with a brief due to the Ninth Circuit Court of Appeals the prior business day. In addition to

1 briefing cases and training new attorneys, the undersigned counsel for the Commissioner has
2 been tasked with additional duties specific to answering new complaints, with eight such
3 assignments he has completed for the prior two weeks, which have resulted in three voluntary
4 remands. He therefore seeks an extension to allow more time to review the record in this case
5 and respond appropriately to Plaintiff's Motion for Summary Judgment.

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

8 Respectfully submitted,

9 Dated: May 8, 2024

/s/ Jonathan O. Pena*
(*as authorized via e-mail on May 8, 2024)
JONATHAN O. PENA
Attorney for Plaintiff

12 Dated: May 8, 2024

PHILLIP A. TALBERT
United States Attorney
MATHEW W. PILE
Associate General Counsel
Social Security Administration

16 By: /s/ Edmund Darcher
EDMUND DARCHER
Special Assistant U.S. Attorney
Attorneys for Defendant

20 **ORDER**

21 Pursuant to the parties' stipulation (Doc. 16), IT IS ORDERED that Defendant shall have
22 an extension, up to and including June 12, 2024, to respond to Plaintiff's Motion for Summary
23 Judgment. Plaintiff shall have up to and including June 26, 2024, to file the optional reply.

24
25 IT IS SO ORDERED.

26 Dated: May 9, 2024

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE