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9 Attorney for Plaintiff

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

12 Matthew Michael Rogers,
13 Plaintiff,

14 vs.

15 Martin O'Malley, Commissioner of
16 Social Security¹,
17 Defendant.

Case No. 1:24-cv-00118-JLT-GSA
STIPULATION AND ORDER FOR
EXTENSION OF TIME

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21 Pending the Court's approval, IT IS HEREBY STIPULATED, by and
22 between the parties through their respective counsel of record, with the Court's
23 approval, that Plaintiff shall have a 10-day extension of time, from May 8, 2024 to
24 May 20, 2024, for Plaintiff to serve on defendant with Plaintiff's Motion for

25
26 ¹ Martin O'Malley became the Commissioner of Social Security on December 20,
27 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Martin
28 O'Malley should be substituted for Kilolo Kijakazi as the defendant in this suit. No
further action need be taken to continue this suit by reason of the last sentence of
section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 Summary Judgment. All other dates in the Court’s Scheduling Order shall be
2 extended accordingly.

3 This is Plaintiff’s first request for an extension of time. Plaintiff respectfully
4 states that the requested extension is necessary due several merit briefs being due
5 on the same week. For the weeks of May 6, 2024 and May 13, 2024 has six Reply
6 briefs and nine Merit briefs due. Counsel requires additional time to brief the
7 issues thoroughly for the Court’s consideration. Defendant does not oppose the
8 requested extension. Counsel apologizes to the Defendant and Court for any
9 inconvenience this may cause.

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11 Respectfully submitted,

12 Dated: May 7, 2024

PENA & BROMBERG, ATTORNEYS AT LAW

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14 By: /s/ Dolly M. Trompeter
15 DOLLY M. TROMPETER
16 Attorneys for Plaintiff

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18 Dated: May 7, 2024

PHILLIP A. TALBERT
United States Attorney
MATTHEW W. PILE
Associate General Counsel
Office of Program Litigation, Office 7

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23 By: */s/ Christopher Vieira
24 Christopher Vieira
25 Special Assistant United States Attorney
26 Attorneys for Defendant
27 (*As authorized by email on May 7, 2024)
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ORDER

Pursuant to stipulation,

IT IS SO ORDERED.

Dated: May 8, 2024

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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