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12 **UNITED STATES DISTRICT COURT**
13 **EASTERN DISTRICT OF CALIFORNIA**
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15 Samly Milavong,

16 Plaintiff,

17 vs.

18 Martin O'Malley, Commissioner of
19 Social Security¹,

20 Defendant.

Case No. 1:24-cv-00278-JLT-BAM

STIPULATION AND ~~PROPOSED~~
ORDER FOR EXTENSION OF
TIME

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 30-day extension of time, from June 5, 2024 to
24

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 July 5, 2024, for Plaintiff to serve on defendant with PLAINTIFF’S MOTION
2 FOR SUMMARY JUDGMENT. All other dates in the Court’s Scheduling Order
3 shall be extended accordingly.

4 This is Plaintiff’s first request for an extension of time. Plaintiff respectfully
5 states that the requested extension is necessary due several merit briefs being due
6 on the same week. For the week of June 3, 2024 and June 10, 2024 Counsel has
7 four Merit briefs and two EAJA Stipulations due. Counsel requires additional time
8 to brief the issues thoroughly for the Court’s consideration. Defendant does not
9 oppose the requested extension. Counsel apologizes to the Defendant and Court
10 for any inconvenience this may cause.

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12 Respectfully submitted,

13 Dated: June 4, 2024 PENA & BROMBERG, ATTORNEYS AT LAW

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

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19 Dated: June 4, 2024 PHILLIP A. TALBERT
20 United States Attorney
21 MATTHEW W. PILE
22 Associate General Counsel
23 Office of Program Litigation, Office 7

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25 By: */s/ Franco L. Becia
26 Franco L. Becia
27 Special Assistant United States Attorney
28 Attorneys for Defendant
(*As authorized by email on June 4, 2024)

1 **ORDER**

2 Pursuant to the parties' stipulation, and cause appearing, Plaintiff's request
3 for an extension of time to file and serve a Motion for Summary Judgment is
4 GRANTED. Plaintiff shall file a Motion for Summary Judgment on or before **July**
5 **8, 2024.**² All other deadlines in the Court's Scheduling Order are modified
6 accordingly.

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8 IT IS SO ORDERED.

9 Dated: June 5, 2024

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

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28 ² The Court is closed on July 5, 2024, the date proposed for filing the Motion for Summary Judgment.