

1 Steven G. Rosales  
 Attorney at Law: 222224  
 2 12631 East Imperial Highway, Suite C-115  
 Santa Fe Springs, CA 90670  
 3 Tel: (562)868-5886  
 Fax: (562)868-5491  
 4 E-Mail: rohlfing.office@rohlfinglaw.com

5 Attorneys for Plaintiff  
 MARY LOU TYLER

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 7  
 8 **UNITED STATES DISTRICT COURT**  
 9 **EASTERN DISTRICT OF CALIFORNIA**  
 10

11 MARY LOU TYLER	)	Case No.: 2:14-cv-00394-CMK
12	)	
13 Plaintiff,	)	STIPULATION TO EXTEND TIME
14 v.	)	
15 CAROLYN W. COLVIN, <sup>1</sup> Acting	)	
Commissioner of Social Security.	)	
16	)	
17 Defendant.	)	
	)	
	)	

18 TO THE HONORABLE CRAIG M. KELLISON, UNITED STATES  
 19 DISTRICT COURT, MAGISTRATE JUDGE OF THE DISTRICT COURT:

20 Plaintiff Mary Lou Tyler (“Plaintiff”) and defendant Carolyn Colvin,  
 21 Acting Commissioner of Social Security (“Defendant”), through their undersigned  
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23  
 24 <sup>1</sup> Carolyn W. Colvin became the Acting Commissioner of Social Security on  
 25 February 14, 2013. Pursuant to Rule 25(d)(1) of the Federal  
 26 Rules of Civil Procedure, Carolyn W. Colvin should be substituted, therefore, for  
 Commissioner Michael J. Astrue as 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). For simplicity, Plaintiff will refer to the  
 Acting Commissioner as the Commissioner.

1 counsel of record, hereby stipulate, subject to the approval of the Court, to extend  
2 the time for Plaintiff to file Plaintiff's Motion for Summary Judgment or Remand  
3 to November 3, 2014; and that Defendant shall have until December 3, 2014, to  
4 file his opposition. Any reply by plaintiff will be due December 23, 2014.

5 An extension of time is needed because Plaintiff's Counsel's Spouse  
6 undergoes chemotherapy treatment for her Stage IV breast cancer which  
7 metastasized initially to her liver and continues to progress there and in her lungs,  
8 throat, and spine which required recent hospitalization to treat. Counsel requires the  
9 additional time to file the Joint Position Statement to allow him to devote the  
10 appropriate time to assist his Spouse and his two elementary school aged children  
11 through this obviously stressful experience. Counsel sincerely apologizes to the  
12 court for any inconvenience this may have had upon it or its staff.

13 .  
14 DATE: September 30, 2014      Respectfully submitted,

15                                      LAWRENCE D. ROHLFING

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17                                      BY: /s/ *Steven G. Rosales* \_\_\_\_\_  
    Steven G. Rosales  
18    Attorney for plaintiff Ms. Mary Lou Tyler

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20 DATE: September 30, 2014

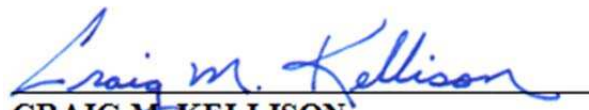
21                                      BENJAMIN WAGNER  
    United States Attorney

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23                                      BY: /s/ *Mr. Ben A. Porter, Esq.* \_\_\_\_\_  
    Mr. Ben A. Porter, Esq.  
24    Special Assistant United States Attorney  
25    Attorneys for defendant Carolyn W. Colvin  
26    |\*authorized by e-mail|

1 IT IS HEREBY ORDERED that plaintiff may have an extension of time, to  
2 and including November 3, 2014, in which to file Plaintiff's Motion for Summary  
3 Judgment or Remand; Defendant may have an extension of time to December 3,  
4 2014 to file his opposition, if any is forthcoming. Any reply by plaintiff will be  
5 due December 23, 2014.

6 IT IS SO ORDERED.

7 Dated: October 2, 2014

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9 **CRAIG M. KELLISON**  
10 UNITED STATES MAGISTRATE JUDGE

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