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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SACRAMENTO DIVISION

VALERIE BARTON o/b/o
H.B.,

Plaintiff,

v.

CAROLYN W. COLVIN,
Acting Commissioner of
Social Security,

Defendant.

CIVIL NO. 2:14-cv-01209 EFB

STIPULATION AND ~~PROPOSED~~ ORDER

The parties hereby stipulate by counsel, with the Court's approval as indicated by issuance of the attached Order, that Defendant shall have a FIRST extension of 30 days to respond to Plaintiff's motion for summary judgment up to and including January 7, 2015.

This extension is being sought based on a heavy workload, some of which was unanticipated, and pre-scheduled leave between the time Plaintiff filed her Opening Brief on November 6, 2014 and the current due date of December 8, 2014. Counsel took over briefing in this case on November 10, 2014. She is one of a few senior attorneys in the Commissioner's office responsible for reviewing all appeals and analyzing district court cases for possible affirmative appeal. The latter former aspect of these duties involves coordination between three attorneys including senior staff at the United States Attorney's offices and the latter involves immediate coordination with attorneys in the Commissioner's headquarters and the United

1 States Department of Justice and cannot be rescheduled or extended. In the time in question, the
2 undersigned has had to review five appeals that were already on extension and one case for further action.
3 In addition, Counsel had five days of scheduled leave during the period in question.

4 Given this combination of circumstances, the Commissioner respectfully requests 30 additional days
5 in order to complete the Commissioner's response to Plaintiff's Motion for Summary Judgment.

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

7 Dated: December 5, 2014

Respectfully submitted,
/s/ *Stephen A. Valizan*
(As authorized via email)
STEPHEN A. VALIZAN
Attorney for Plaintiff

10 Dated: December 5, 2014

BENJAMIN B. WAGNER
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13 /s/ *Elizabeth Firer*
ELIZABETH FIRER
Special Assistant U.S. Attorney
Attorneys for Defendant

15 ORDER

16
17 APPROVED AND SO ORDERED.

18 DATED: December 8, 2014.

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20 EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE