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8 Attorneys for Defendant

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

11 CHARLES MUHLENHAUPT,

12 Plaintiff,

13 v.

14 NANCY A. BERRYHILL,¹
 15 Acting Commissioner of Social Security,

16 Defendant.

17) Case No.: 2:15-cv-02336-CMK

18) STIPULATION AND ORDER FOR A FIRST
 19) EXTENSION OF TIME

20 IT IS HEREBY STIPULATED, by and between the parties, through their respective
 21 counsel of record, that the time for responding to Plaintiff’s Motion for Summary Judgment be
 22 extended from February 17, 2017 to April 3, 2016. This is Defendant’s first request for an
 23 extension of time to respond to Plaintiff’s motion. Defendant respectfully requests this
 24 additional time because Defendant’s counsel has a higher than normal workload. In addition,
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26 ¹ Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d)
 27 of the Federal Rules of Civil Procedure, Nancy A. Berryhill should be substituted for Acting
 28 Commissioner Carolyn W. Colvin as the defendant in this suit. No further action needs to 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 Defendant's counsel was out multiple days this week due to illness, and will be on leave from
2 March 3 20 March 13 2017.

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

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6
7 Respectfully submitted,

8 Dated: February 16, 2017

/s/ Barbara Mann
(*as authorized via e-mail on 2/13/2017)
MELISSA NEWEL
Attorney for Plaintiff

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10
11 Dated: February 16, 2017

PHILLIP A. TALBERT
United States Attorney
DEBORAH LEE STACHEL
Acting Regional Chief Counsel, Region IX
Social Security Administration

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15 By: */s/ Marcelo Illarmo*
16 MARCELO ILLARMO
17 Special Assistant United States Attorney
18 Attorneys for Defendant

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20
21 ORDER

22 APPROVED AND SO ORDERED:

23
24 Dated: February 17, 2017


CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE