

1 PHILLIP A. TALBERT  
 Acting United States Attorney  
 2 DEBORAH LEE STACHEL  
 Regional Chief Counsel, Region IX  
 3 Social Security Administration  
 ASIM H. MODI  
 4 Special Assistant United States Attorney  
 Social Security Administration  
 5 160 Spear Street, Suite 800  
 6 San Francisco, CA 94105  
 Telephone: 415-977-8952  
 7 Facsimile: 415-744-0134  
 8 Email: Asim.Modi@ssa.gov  
 Attorneys for Defendant  
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10 **UNITED STATES DISTRICT COURT**  
 11 **EASTERN DISTRICT OF CALIFORNIA**  
 12 **SACRAMENTO DIVISION**

13 DOUG WISE, ) No. 2:15-cv-2465-DB  
 14 )  
 Plaintiff, ) **STIPULATION AND ORDER TO**  
 15 ) **EXTEND BRIEFING SCHEDULE**  
 16 v. )  
 )  
 17 CAROLYN W. COLVIN )  
 Acting Commissioner of Social Security, )  
 18 )  
 Defendant. )  
 19 )  
 20 )

21 IS HEREBY STIPULATED by the parties, through their undersigned attorneys, to  
 22 extend Defendant’s time to file her cross-motion for summary judgment with the Court by 30  
 23 days to **November 30, 2016**, and that all other scheduling dates set forth in the Court’s Case  
 24 Management Order shall be extended accordingly. This is Defendant’s first request for an  
 25 extension of time in this matter, and she requests it in good faith and without any intent to  
 26 prolong proceedings unduly.

27 There is good cause for this extension request because counsel for Defendant has  
 28 workload issues that preclude filing her summary judgment motion by October 31, 2016.

1 Specifically, counsel for Defendant was recently ordered to appear in person for oral arguments  
2 in multiple Social Security matters before the District of Hawaii; thus, due to the preparation and  
3 travel to Hawaii for these oral arguments, counsel for Defendant has been unable to attend to the  
4 instant case. Additionally, counsel for Defendant remains responsible for drafting an appellate  
5 brief for a Social Security case before the Ninth Circuit, drafting briefs and summary judgment  
6 motions in Social Security cases before the district courts within the Seventh Circuit and Ninth  
7 Circuit, and negotiating (or litigating) attorney fee matters pursuant to the Equal Access to  
8 Justice Act. Counsel for Defendant is currently responsible for conducting discovery in  
9 personnel litigation before the Equal Employment Opportunity Commission. Counsel for  
10 Defendant is also currently responsible for drafting substantive pleadings and preparing for a  
11 hearing in personnel litigation before the Merit Systems Protection Board.

12 Counsel for Defendant sincerely apologizes to Plaintiff and the Court for any  
13 inconvenience caused by this delay.

14  
15 Respectfully submitted,

16  
17 Date: October 26, 2016

MACKENZIE LEGAL, PLLC

18 By: /s/ Asim H. Modi for Kelsey Mackenzie Brown\*  
19 KELSEY MACKENZIE BROWN  
20 \*Authorized by email on October 26, 2016  
Attorneys for Plaintiff

21 Date: October 26, 2016

PHILLIP A. TALBERT  
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Social Security Administration

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25 By: /s/ Asim H. Modi  
26 ASIM H. MODI  
Special Assistant United States Attorney  
Attorneys for Defendant  
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ORDER

Pursuant to the parties' stipulation, IT IS SO ORDERED.

DATED: October 26, 2016

/s/ DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

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