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8 Attorneys for Defendant

9 **UNITED STATES DISTRICT COURT**  
 10 **EASTERN DISTRICT OF CALIFORNIA**  
 11 **SACRAMENTO DIVISION**

13 JOEL HERNANDEZ MARTINEZ,  
 14 Plaintiff,  
 15 vs.  
 16 NANCY A. BERRYHILL,  
 Acting Commissioner of Social Security,  
 17 Defendant.  
 18

) Case No.: 2:16-CV-00101-CMK

) **JOINT STIPULATION AND ORDER FOR**  
 ) **EXTENSION OF TIME FOR**  
 ) **DEFENDANT TO RESPOND TO**  
 ) **PLAINTIFF'S MOTION FOR SUMMARY**  
 ) **JUDGMENT**

19  
 20 IT IS HEREBY STIPULATED, by the parties, through their respective counsel of record, that  
 21 the time for responding to Plaintiff's Motion for Summary Judgment be extended for  
 22 approximately 21 days from September 5, 2017 to **September 26, 2017**. This is Defendant's  
 23 second request for extension. Good cause exists to grant Defendant's request for extension.  
 24 Additional time is required as counsel for Defendant (Counsel) has been experiencing  
 25 debilitating chronic migraines and daily headaches that impairs her vision. Due to current  
 26 workload demands and shortened staff, Counsel currently has over 50+ active pending matters,  
 27 with two or more dispositive motions due per week until late October. As a result, Counsel had  
 28 to take intermittent and unanticipated medical leave which caused her to become behind on her

Joint Stipulation for Extension of Time and PO; 2:16-CV-00101-CMK

1 caseload. Counsel apologizes for the belated nature of the request, but did not anticipate taking  
2 additional medical leave due to her chronic migraines. Defendant respectfully requests  
3 additional time in order to adequately assess the issues raised in Plaintiff's Motion. Defendant  
4 makes this request in good faith with no intention to unduly delay the proceedings. The parties  
5 further stipulate that the Court's Scheduling Order shall be modified accordingly.

6  
7 Respectfully submitted,

8  
9 Dated: September 5, 2017

/s/ \*Robert C. Weems  
(\*as authorized by email on September 5, 2017)  
ROBERT C. WEEMS  
Attorney for Plaintiff

10  
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12  
13 Dated: September 5, 2017

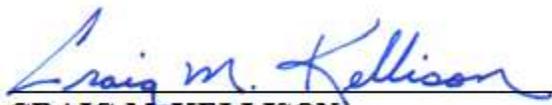
PHILLIP A. TALBERT  
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16  
17 By /s/ Tina L. Naicker  
TINA L. NAICKER  
Special Assistant U.S. Attorney  
Attorneys for Defendant

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20  
21 **ORDER**

22 APPROVED AND SO ORDERED:

23  
24 Dated: September 12, 2017

  
CRAIG M. KELLISON  
UNITED STATES MAGISTRATE JUDGE