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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**

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 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 8 days from September 26, 2017 to **October 4, 2017**. This is Defendant's third
 23 request for extension. Good cause exists to grant Defendant's request for extension. Additional
 24 time is required as counsel for Defendant (Counsel) experienced an unexpected loss of a loved
 25 one on September 15, 2017. Counsel attended funeral and prayer services last week. Due to
 26 current workload demands and shortened staff, Counsel currently has over 50+ active pending
 27 matters, with two or more dispositive motions due per week until late October. Due to
 28 unexpected leave, Counsel became behind on her heavy caseload. Counsel apologizes for the

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

1 belated nature of the request, but did not anticipate taking additional leave due to a recent and
2 unexpected death of a loved one. Defendant respectfully requests additional time in order to
3 adequately assess the issues raised in Plaintiff's Motion. Defendant makes this request in good
4 faith with no intention to unduly delay the proceedings. The parties further stipulate that the
5 Court's Scheduling Order shall be modified accordingly.

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7 Respectfully submitted,

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9 Dated: September 25, 2017

/s/ *Robert C. Weems
(*as authorized by email on September 25, 2017)
ROBERT C. WEEMS
Attorney for Plaintiff

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13 Dated: September 25, 2017

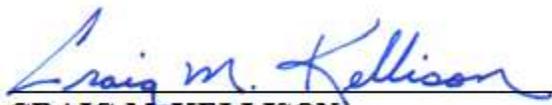
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17 By /s/ Tina L. Naicker
TINA L. NAICKER
Special Assistant U.S. Attorney
Attorneys for Defendant

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21 **ORDER**

22 APPROVED AND SO ORDERED:

23
24 Dated: September 27, 2017


CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE