

1 PHILLIP A. TALBERT  
 United States Attorney  
 2 DEBORAH LEE STACHEL  
 Regional Chief Counsel, Region IX  
 3 Social Security Administration  
 TINA L. NAICKER, CSBN 252766  
 4 Special Assistant United States Attorney  
 160 Spear Street, Suite 800  
 5 San Francisco, California 94105  
 Telephone: (415) 268-5611  
 6 Facsimile: (415) 744-0134  
 7 E-Mail: Tina.Naicker @SSA.gov

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,  
 21 that the time for responding to Plaintiff's Motion for Summary Judgment be extended for two  
 22 weeks from October 4, 2017 to **October 18, 2017**. This is Defendant's fourth request for  
 23 extension. Good cause exists to grant Defendant's request for extension. Additional time is  
 24 required as counsel for Defendant (Counsel) continues to experience chronic migraines, which  
 25 impairs her vision. Counsel was recently out of the office on September 29, 2017 for her  
 26 migraines, which lasted over three days and continues to experience daily, constant headaches,  
 27 including on the date of the current filing deadline. Counsel also has scheduled leave from  
 28 October 5, 2017 through October 9, 2017. Due to current workload demands and shortened

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

1 staff, Counsel currently has over 50+ active pending matters, with two or more dispositive  
2 motions due per week until early November. Due to unexpected and upcoming leave, Counsel  
3 became behind on her heavy caseload. Counsel apologizes for the belated nature of the request,  
4 but did not anticipate taking additional leave due her ongoing medical condition. Defendant  
5 respectfully requests additional time in order to adequately assess the issues raised in Plaintiff's  
6 Motion. Defendant makes this request in good faith with no intention to unduly delay the  
7 proceedings. The parties further stipulate that the Court's Scheduling Order shall be modified  
8 accordingly.

9 Respectfully submitted,

10 Dated: October 4, 2017

11 /s/ \*Robert C. Weems  
12 (\*as authorized by email on October 4, 2017)  
13 ROBERT C. WEEMS  
14 Attorney for Plaintiff

15 Dated: October 4, 2017

16 PHILLIP A. TALBERT  
17 United States Attorney  
18 DEBORAH LEE STACHEL  
19 Regional Chief Counsel, Region IX  
20 Social Security Administration

21 By /s/ Tina L. Naicker  
22 TINA L. NAICKER  
23 Special Assistant U.S. Attorney  
24 Attorneys for Defendant

25 **ORDER**

26 APPROVED AND SO ORDERED:

27 Dated: October 4, 2017

28   
CRAIG M. KELLISON  
UNITED STATES MAGISTRATE JUDGE