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5 Attorneys for Plaintiff CHARLES V. MITCHELL

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 7 **UNITED STATES DISTRICT COURT**
 8 **EASTERN DISTRICT OF CALIFORNIA**
 9 **SACRAMENTO DIVISION**

11 CHARLES V. MITCHELL,)	Case No.: 2:16-CV-00970 EFB
12)	
13 Plaintiff,)	STIPULATION TO EXTEND
14)	BRIEFING SCHEDULE
15 vs.)	
16 CAROLYN COLVIN, Acting)	
17 Commissioner of Social Security,)	
18)	
19 Defendant)	

18 TO THE HONORABLE EDMUND F. BRENNAN, MAGISTRATE
 19 JUDGE OF THE DISTRICT COURT:

20 Plaintiff Charles V. Mitchell (“Plaintiff”) and defendant Carolyn Colvin,
 21 Acting Commissioner of Social Security (“Defendant”), through their undersigned
 22 counsel of record, hereby stipulate, subject to the approval of the Court, to extend
 23 the time for Plaintiff to file Plaintiff’s Motion for Summary Judgment or Remand
 24 to December 6, 2016; and that Defendant shall have until January 5, 2017, to file
 25 her opposition. Any reply by plaintiff will be due January 19, 2017.
 26

1 This Court is aware that Counsel's Spouse battled Stage IV breast cancer
2 which metastasized initially to her liver and continued to progress with tumors in her
3 lungs, spine and brain. After exhausting all known chemotherapy treatments over
4 18 months ago and surviving on willful determination and profound faith alone
5 Counsel's wife has succumbed to her illness. On September 30, 2016 Counsel
6 gently held his wife as she relinquished her fight and passed away. Counsel requires
7 the time to deal with providing the appropriate respect to his spouse.

8 DATE: October 7, 2016

Respectfully submitted,

LAW OFFICES OF LAWRENCE D. ROHLFING

/s/ Steven G. Rosales

BY: _____

Steven G. Rosales

Attorney for plaintiff

13 DATED: October 7, 2016

BENJAMIN WAGNER

United States Attorney

16 */S/- Asim Modi

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Asim Modi

Special Assistant United States Attorney

Attorney for Defendant

[*Via email authorization]

1 IT IS HEREBY ORDERED that plaintiff may have an extension of time, to and
2 including December 6, 2016, in which to file Plaintiff's Motion for Summary
3 Judgment or Remand; Defendant may have an extension of time to January 5, 2017
4 to file her opposition, if any is forthcoming. Any reply by plaintiff will be due
5 January 19, 2017.

6 IT IS SO ORDERED.

7 DATED: October 12, 2016.



8
9 THE HONORABLE EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE

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