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

12
13 CONNIE LYNNE GUMMESON,) Case No.: 2:16-cv-01611-CKD
14 Plaintiff,)
15 vs.) STIPULATION AND ORDER FOR AN
16 CAROLYN W. COLVIN,) EXTENSION OF TIME OF 15 DAYS FOR
Acting Commissioner of Social Security,) DEFENDANT’S RESPONSE TO
17 Defendant.) PLAINTIFF’S MOTION FOR SUMMARY
18) JUDGMENT

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20 IT IS HEREBY STIPULATED, by and between the parties, through their respective
21 counsel of record, that Defendant shall have an extension of time of an additional 15 days to
22 respond to Plaintiff’s motion for summary judgment. This is the first continuance sought by
23 Defendant. The current due date is February 16, 2017. The new due date will be March 3, 2017.

24 There is good cause for this request. At around the time of the filing of Plaintiff’s Motion
25 for Summary Judgment, Defendant’s counsel was recovering from two medical emergencies that
26 necessitated her being on leave for multiple weeks. The first medical emergency occurred in late
27 October 2016, that necessitated her being on leave and addressing her workload deadlines that
28 were postponed due to her leave, as well as her regular workload, when she returned to work in

1 November. In addition, on December 9, 2016, Defendant's counsel was rear-ended in a car
2 accident caused by another driver. Between the December accident and the current date,
3 Defendant's counsel had taken about three weeks of leave to recover and rest, and returned to the
4 office on January 9, 2017. In addition to her existing workload when she returned, new
5 emergency assignments had been assigned to Defendant's counsel that could not be reassigned to
6 another attorney and prevent Defendant's counsel from meeting the original deadline of February
7 16, 2017.

8 Because of the factors described above, Defendant is requesting additional time up to and
9 including March 3, 2017, to fully review the record and research the issues presented by
10 Plaintiff's motion for summary judgment, as Defendant's counsel continues to recover and
11 address her workload. This request is made in good faith with no intention to unduly delay the
12 proceedings.

13 The parties further stipulate that the Court's Scheduling Order shall be modified
14 accordingly.

15 Respectfully submitted,

16 Date: February 13, 2017

PEÑA & BROMBERG, PLC

17
18 s/ Jonathan O. Peña by C.Chen*
19 (As authorized by e-mail on 2/13/2017)
20 JONATHAN O. PEÑA, ESQ.
Attorneys for Plaintiff

21 Date: February 13, 2017

PHILLIP A. TALBERT
United States Attorney

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23 By s/ Carolyn B. Chen
24 CAROLYN B. CHEN
Special Assistant U. S. Attorney

25 Attorneys for Defendant

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ORDER

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2 APPROVED AND SO ORDERED:

3 Dated: February 15, 2017



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5 CAROLYN K. DELANEY
6 UNITED STATES MAGISTRATE JUDGE

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