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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

10 JACKIE ANTHONY REYNOLDS,

11 Plaintiff,

12 v.

13 NANCY A. BERRYHILL, Acting  
Commissioner of Social Security,

14 Defendant.<sup>1</sup>

Case 2:16-cv-01652-EFB

STIPULATION AND ~~PROPOSED~~ ORDER  
FOR PLAINTIFF TO FILE MOTION FOR  
SUMMARY JUDGMENT

15 IT IS HEREBY STIPULATED by and between the parties that Defendant shall have an  
16 extension of 45 days to December 14, 2017, to file Plaintiff's reply to Defendant's cross motion for  
17 summary judgment. This is Plaintiff's third request for an extension of time, the first extension for  
18 filing the motion for summary judgment being through June 16, 2017, and the second request for  
19 filing a reply to Defendant's cross motion for summary judgment through October 20, 2017. Plaintiff  
20 did not recognize until now that Defendant had lodged a supplement to the administrative.

21 Plaintiff requires the additional time due to dealing with supplemental administrative record ,  
22 Defendant's reliance on the supplemental record, and unusual workload demands impacting the  
23 ability to meet the current filing deadline in addition to having had to address unexpected, time-  
24 consuming matters. Mr. Weems is a sole practitioner unable to reassign any of his cases as I am a  
25 sole practitioner which resulted in the inadvertent oversight of the filing of the supplemental  
26 administrative record at the same time of the filing of the cross motion for summary judgment.

27 /////  
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<sup>1</sup> Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Nancy A. Berryhill should be substituted for Acting Commissioner Carolyn W. Colvin as the Defendant in this suit. No further action needs to be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 This request is made in good faith with no intention to unduly delay the proceedings.

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

3  
4 SO STIPULATED AND AGREED:

5 Dated: October 30, 2017

WEEMS LAW OFFICES

6 /s/ Robert C. Weems

7 Robert C. Weems,  
Attorney for Plaintiff

8 Dated: October 30, 2017

9 PHILLIP A. TALBERT  
United States Attorney  
DEBORAH LEE STACHEL  
Regional Chief Counsel, Region IX  
Social Security Administration  
10 MARCELO N. ILLARMO  
Special Assistant United States Attorney

11 /s/ Marcelo N. Illarmo

12 Marcelo N. Illarmo  
Special Assistant United States Attorney and  
13 Attorney for Defendant (per e-mail  
14 authorization)

15  
16  
17 SO ORDERED.

18 DATED: October 30, 2017.

19   
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE