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10 **UNITED STATES DISTRICT COURT**  
11 **EASTERN DISTRICT OF CALIFORNIA**

12 SUSIE GARZA, ) Case No. 2:16-cv-01706-KJN  
13 )  
Plaintiff, ) STIPULATION AND ORDER FOR A  
14 v. ) FIRST EXTENSION TO RESPOND TO  
NANCY A. BERRYHILL,<sup>1</sup> ) PLAINTIFF'S MOTION FOR SUMMARY  
15 Acting Commissioner of Social Security, ) JUDGMENT  
16 )  
Defendant. )  
17 )

18  
19 IT IS HERE BY STIPULATED by and between the parties through their undersigned  
20 counsel, subject to the approval of the Court, that Defendant shall have a first extension of time of  
21 30 days to respond to Plaintiff's motion for summary judgment:

- 22 • Defendant shall serve and file any opposition or counter-motion on or before April  
23 12, 2017;

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25 \_\_\_\_\_  
26 <sup>1</sup> Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d)  
27 of the Federal Rules of Civil Procedure, Nancy A. Berryhill should be substituted for Acting  
28 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).

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- Plaintiff may serve and file a reply within twenty days of service of defendant's opposition or counter-motion (on or before May 2, 2017).

Good cause exists to grant an extension because the Defendant has a higher workload than normal and needs more time to respond to Plaintiff's motion. In addition, Defendant's counsel will be on leave from March 3, 2017 to March 13, 2017.

Respectfully submitted,

Date: March 1, 2017

By: /s/ Josephine Mary Gerrard\*  
JOSEPHINE MARY GERRARD

Attorney for Plaintiff  
\*By email authorization on 3/1/17


Date: March 1, 2017

PJILLIP A. TALBERT  
United States Attorney  
By: /s/ Marcelo Illarmo  
MARCELO ILLARMO  
Special Assistant United States Attorney  
Attorneys for Defendant

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: March 2, 2017

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE