

1 PHILLIP A. TALBERT
 United States Attorney
 2 DEBORAH LEE STACHEL
 Regional Chief Counsel, Region IX
 3 Social Security Administration
 CYNTHIA B. DE NARDI, CSBN 256770
 4 Special Assistant United States Attorney
 5 160 Spear Street, Suite 800
 San Francisco, California 94105
 6 Telephone: (415) 977-8961
 7 Facsimile: (415) 744-0134
 E-Mail: cynthia.denardi@ssa.gov

8 Attorneys for Defendant

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

13 JAMES OLLIE KENNON JR.,)	Case No.: 2:16-CV-01951-AC
14 Plaintiff,)	STIPULATION AND PROPOSED ORDER
15 vs.)	FOR AN EXTENSION OF TIME
16 NANCY A. BERRYHILL, ¹)	
17 Acting Commissioner of Social Security,)	
18 Defendant.)	

19
 20
 21 IT IS HEREBY STIPULATED, by and between the parties, through their respective
 22 counsel of record, that the time for responding to Plaintiff’s Motion for Summary Judgment be
 23 extended from February 15, 2017, to March 17, 2017. This is Defendant’s first request for an
 24 extension of time to respond to Plaintiff’s motion. Defendant respectfully requests this

25
 26 ¹ 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).

1 additional time because the undersigned requires additional time to evaluate the merits of
2 Plaintiff's arguments for remand of the Administrative Law Judge's decision.

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

5 Counsel apologizes to the Court for any inconvenience caused by this delay.

6
7 Respectfully submitted,

8 Dated: February 14, 2017

/s/ Jonthan O. Peña*
(*as authorized via email on 2/14/17)
JONATHAN O. PENA, ESQ.
Attorney for Plaintiff

9
10
11 Dated: February 14, 2017

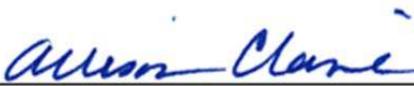
PHILLIP A. TALBERT
United States Attorney
DEBORAH LEE STACHEL
Regional Chief Counsel, Region IX
Social Security Administration

12
13
14
15 By: /s/ Cynthia B. De Nardi
16 CYNTHIA B. DE NARDI
17 Special Assistant U.S. Attorney
18 Attorneys for Defendant

19
20 ORDER

21
22 APPROVED AND SO ORDERED:

23
24 Dated: February 14, 2017

25 
26 ALLISON CLAIRE
27 UNITED STATES MAGISTRATE JUDGE
28