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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. |) | |

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 20 IT IS HEREBY STIPULATED, by and between the parties, through their respective
 21 counsel of record, that the time for responding to Plaintiff’s Motion for Summary Judgment be
 22 extended from March 17, 2017 to April 14, 2017. This is Defendant’s second request for an
 23 extension of time to respond to Plaintiff’s motion. Defendant respectfully requests this additional
 24 time because the undersigned was preparing a voluminous document production in response to
 25 an Equal Employment Opportunity Commission (EEOC) discovery matter, without paralegal

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 assistance, and preparing substantive pleadings in an EEOC case. The undersigned apologizes to
2 the Court for any inconvenience cause by this delay.

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4 Respectfully submitted,

5 Dated: March 17, 2017

6 **s/Jonathan O. Pena*
7 (*as authorized via email on 3/17/17)
8 JONATHAN O. PENA, ESQ.
9 Attorney for Plaintiff

10 Dated: March 17, 2017

11 PHILLIP A. TALBERT
12 United States Attorney
13 DEBORAH LEE STACHEL
14 Regional Chief Counsel, Region IX
15 Social Security Administration

16
17 By: */s/ Cynthia B. De Nardi*
18 CYNTHIA B. DE NARDI
19 Special Assistant U.S. Attorney
20 Attorneys for Defendant

21 **APPROVED AND SO ORDERED:**

22 DATED: March 20, 2017

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25 ALLISON CLAIRE
26 UNITED STATES MAGISTRATE JUDGE
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