

1 PHILLIP A. TALBERT  
 United States Attorney  
 2 DEBORAH LEE STACHEL  
 Regional Chief Counsel, Region IX  
 3 Social Security Administration  
 CAROLYN B. CHEN, CSBN 256628  
 4 Special Assistant United States Attorney  
 5 160 Spear Street, Suite 800  
 San Francisco, California 94105  
 6 Telephone: (415) 977-8956  
 7 Facsimile: (415) 744-0134  
 E-Mail: Carolyn.Chen@ssa.gov  
 8 Attorneys for Defendant

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

13 BRIAN SEABERRY,	)	Case No.: 2:16-cv-02310-EFB
	)	
14 Plaintiff,	)	STIPULATION AND <del>PROPOSED</del> ORDER
	)	FOR AN EXTENSION OF TIME OF 30
15 vs.	)	DAYS FOR DEFENDANT’S RESPONSE TO
16 NANCY A. BERRYHILL,	)	PLAINTIFF’S MOTION FOR SUMMARY
Acting Commissioner of Social Security,	)	JUDGMENT
	)	
17 Defendant.	)	
	)	

19  
 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 30 days to  
 22 respond to Plaintiff’s motion for summary judgment. This is the second continuance sought by  
 23 Defendant. The current due date is June 22, 2017. The new due date will be July 22, 2017.

24 There is good cause for this request. Since the Court’s order of extension dated May 9,  
 25 2017, Defendant’s counsel had experienced sickness with flu-like symptoms and took sick leave  
 26 for close to a week, along with pre-approved leave, and has been recovering from and diligently  
 27 addressing a backlog of cases and her full workload after her absence. Furthermore, Defendant’s  
 28 counsel continues to have a full workload in the next month, including one district court oral

1 argument, about five pending district court briefs (some of which have also been extended  
2 multiple times), and two Equal Employment Opportunity Commission matters, including one  
3 involving briefing and another one involving discovery, that was just assigned to Defendant's  
4 counsel this week as an emergency assignment and that could not be extended or assigned to  
5 another attorney. Therefore, Defendant is respectfully requesting additional time up to and  
6 including July 22, 2017, to fully review the record and research the issues presented by  
7 Plaintiff's motion for summary judgment in this case as Defendant's counsel addresses her  
8 workload, including new and unanticipated matters with pressing immediate deadlines. This  
9 request is made in good faith with no intention to unduly delay the proceedings.

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

12 Respectfully submitted,

13 Date: June 14, 2017

LAW OFFICES OF LAWRENCE D. ROHLFING

14  
15 s/ Monica Perales by C.Chen\*  
16 (As authorized by e-mail on 6/14/2017)  
17 MONICA PERALES  
18 Attorneys for Plaintiff

19 Date: June 14, 2017

PHILLIP A. TALBERT  
United States Attorney

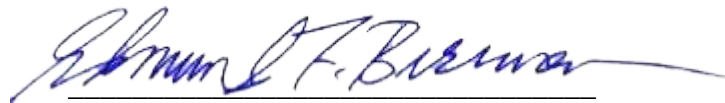
20 By s/ Carolyn B. Chen  
21 CAROLYN B. CHEN  
22 Special Assistant U. S. Attorney

Attorneys for Defendant

23  
24 ORDER

25 APPROVED AND SO ORDERED.

26 DATED: June 19, 2017.

27 

28 HON. EDMUND F. BRENNAN  
UNITED STATE MAGISTRATE JUDGE