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13 Attorneys for Defendant

14 **UNITED STATES DISTRICT COURT**
15 **EASTERN DISTRICT OF CALIFORNIA**
16 **SACRAMENTO DIVISION**

17 LIZA JONES O/B/O AJA TERRY,
18 Plaintiff,
19 vs.
20 NANCY A. BERRYHILL,
21 Acting Commissioner of Social Security,
22 Defendant.

23 Case No.: 2:16-CV-02324-CKD

24 **JOINT STIPULATION AND ORDER FOR**
25 **EXTENSION OF TIME FOR**
26 **DEFENDANT TO RESPOND TO**
27 **PLAINTIFF'S MOTION FOR SUMMARY**
28 **JUDGMENT**

IT IS HEREBY STIPULATED, by the parties, through their respective counsel of record, that the time for responding to Plaintiff's Motion for Summary Judgment be extended for two weeks from November 24, 2017 to **December 8, 2017**. This is Defendant's fifth request for extension. Good cause exists to grant Defendant's request for extension. Counsel has been having chronic migraines which impairs her vision, including on the date of the current filing deadline. In addition, Counsel also had a severe cold/flu. As a result, Counsel had to take sick leave. Due to unanticipated medical leave, Counsel needs additional time to respond to Plaintiff's Motion for Summary Judgment. Counsel has over 60 active pending matters, of

1 which require 2+ responses to dispositive motions per week. Counsel also needs additional time
2 in order to assess the possibility of remand. Due to the Thanksgiving holiday, Counsel has been
3 unable to discuss the matter with the appropriate department prior to the filing deadline due to
4 scheduling conflicts and unanticipated medical leave of Counsel. As a result, Counsel needs
5 additional time to adequately review the transcript, discuss potential settlement options, and
6 properly respond to Plaintiff's Motion for Summary Judgment. Counsel apologizes for the
7 belated nature of the request, but she did not anticipate taking additional leave. Defendant makes
8 this request in good faith with no intention to unduly delay the proceedings. The parties further
9 stipulate that the Court's Scheduling Order shall be modified accordingly.

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11 Respectfully submitted,

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13 Dated: November 24, 2017

/s/ *Robert C. Weems
(*as authorized by email on November 24, 2017)
ROBERT C. WEEMS
Attorney for Plaintiff

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17 Dated: November 24, 2017

PHILLIP A. TALBERT
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DEBORAH LEE STACHEL
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21 By /s/ Tina L. Naicker
TINA L. NAICKER
Special Assistant U.S. Attorney
Attorneys for Defendant

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ORDER

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2 APPROVED. As this is the ninth extension of time in the briefing schedule of this case,
3 however, no further extensions will be granted absent extraordinary cause. IT IS SO
4 ORDERED.

5 Dated: November 29, 2017

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CAROLYN K. DELANEY
9 UNITED STATES MAGISTRATE JUDGE
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