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10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA
12 SACRAMENTO DIVISION

13 NICOLE ANN SAHAJ,) Case No.: 2:16-cv-2563-CKD
14)
15 Plaintiff,) **STIPULATION AND ORDER TO**
16) **EXTEND BRIEFING SCHEDULE**
17 v.)
18)
19 NANCY A. BERRYHILL¹,)
Acting Commissioner of Social Security,)
20 Defendant.)
_____)

21 IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, to
22 extend Defendant's time to file her summary judgment motion with the Court by 30 days to **May**
23 **31, 2017**, and that all other scheduling dates set forth in the Court's Case Management Order
24
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 shall be extended accordingly. This is Defendant's first request for an extension of time in this
2 matter, and she requests it in good faith and without any intent to prolong proceedings unduly.

3 There is good cause for this extension request because counsel for Defendant has
4 workload issues that preclude filing her summary judgment motion by May 1, 2017. In
5 particular, counsel for Defendant is currently responsible for reviewing the excerpts of record
6 and drafting the Commissioner's answering brief in two Social Security cases before the Ninth
7 Circuit. Moreover, counsel for Defendant is currently responsible for drafting briefs and
8 summary judgment motions and negotiating (or litigating) attorney fee matters pursuant to the
9 Equal Access to Justice Act before the district courts within the Ninth Circuit. Counsel for
10 Defendant is currently conducting discovery, drafting substantive pleadings, and preparing for a
11 hearing in two personnel-related litigation matters pending before the Merit Systems Protection
12 Board. Additionally, counsel for Defendant is serving on nationwide intra-agency teams charged
13 with implementing the terms of the class action settlement reached in *Hart v. Berryhill* (N.D.Cal.
14 No. 3:15-cv-623-JST) and coordinating outreach and training to the Social Security
15 Administration's Office of Disability Adjudication and Review.

16 Counsel for Defendant apologizes to Plaintiff and the Court for any inconvenience caused
17 by this delay.

18
19 Respectfully submitted,

20
21 Date: April 25, 2017

LAW OFFICES OF LAWRENCE D.
ROHLFING

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23 By: /s/ Asim H. Modi for Brian C. Shapiro*
BRIAN C. SHAPIRO
24 *Authorized by email on April 25, 2017
Attorney for Plaintiff

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26 Date: April 25, 2017

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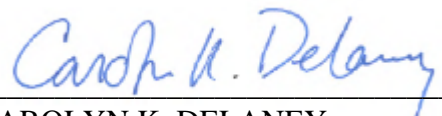
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By: /s/ Asim H. Modi
ASIM H. MODI
Special Assistant United States Attorney
Attorneys for Defendant

ORDER

APPROVED AND SO ORDERED

Dated: April 27, 2017



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE