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 8 Attorneys for Defendant

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

13 CASEY FICKARDT,	)	Case No.: 2:16-cv-02596-CMK
	)	
14 Plaintiff,	)	STIPULATION AND ORDER FOR AN
	)	EXTENSION OF TIME OF 8 DAYS FOR
15 vs.	)	DEFENDANT’S RESPONSE TO
16 NANCY A. BERRYHILL,	)	PLAINTIFF’S MOTION FOR SUMMARY
Acting Commissioner of Social Security,	)	JUDGMENT
	)	
17 Defendant.	)	
18	)	

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 8 days to  
 22 respond to Plaintiff’s motion for summary judgment. This is the third continuance sought by  
 23 Defendant. The current due date is August 28, 2017. The new due date will be September 5,  
 24 2017.

25 There is good cause for this request. Since Defendant’s last request on July 25, 2017,  
 26 Defendant’s counsel had been diligently addressing her full workload including several district  
 27 court cases and one Equal Employment Opportunity Commission matter involving discovery and  
 28 another Equal Employment Opportunity Commission case involving briefing. Moreover,

1 between July 25, 2017 and August 28, 2017, Defendant's counsel had additional unanticipated  
2 matters that involved extensive briefing, including two district court decisions decided on July  
3 31, 2017, and August 4, 2017, to which counsel needed to file objections or motions in response,  
4 with deadlines that could not be extended. Despite counsel's diligence in responding to the new  
5 matters and her remaining workload, counsel was set back in addressing all her other cases,  
6 including this one. Therefore, Defendant is respectfully requesting additional time up to and  
7 including September 5, 2017, to fully review the record and research the issues presented by  
8 Plaintiff's motion for summary judgment in this case. This request is made in good faith with no  
9 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: August 28, 2017

14 CHARLES E. BINDER AND HARRY J. BINDER,  
ATTORNEYS AT LAW

15 s/ James S. Pi by C.Chen\*

16 (As authorized by e-mail on 8/28/2017)

17 JAMES S. PI

Attorneys for Plaintiff

18 Date: August 28, 2017

19 PHILLIP A. TALBERT

United States Attorney

20 By s/ Carolyn B. Chen

21 CAROLYN B. CHEN

22 Special Assistant U. S. Attorney

23 Attorneys for Defendant

24 ORDER

25 APPROVED AND SO ORDERED:

26 Dated: August 31, 2017

27   
28 **CRAIG M. KELLISON**  
UNITED STATES MAGISTRATE JUDGE