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8 Attorneys for Defendant

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

13 DIMITRIUS FOSTER,
 14 Plaintiff,
 15 vs.
 16 NANCY A. BERRYHILL,
 Acting Commissioner of Social Security,
 17 Defendant.
 18

) Case No.: 2:17-cv-00439-CMK

) **JOINT STIPULATION AND ORDER FOR**
) **EXTENSION OF TIME TO RESPOND TO**
) **PLAINTIFF’S MOTION FOR SUMMARY**
) **JUDGMENT**

19
 20 IT IS HEREBY STIPULATED, by the parties, through their respective counsel of record,
 21 that the time for responding to Plaintiff’s Motion for Summary Judgment be extended for thirty
 22 days from November 22, 2017 to **December 22, 2017**. This is Defendant’s first request for
 23 extension. Good cause exists to grant Defendant’s request for extension. Counsel for Defendant
 24 was on unexpected medical leave and became behind on her caseload. Additional time is
 25 required as Counsel for Defendant has over 75 active pending matters, of which require 2+
 26 responses to dispositive motions per week until early-January. Due to current workload demands
 27 and shortened staff, Counsel needs additional time to adequately review the transcript and
 28 properly respond to Plaintiff’s Motion for Summary Judgment. Good cause also exists because

JS for Extension of Time and PO; 2:17-cv-00439-CMK

1 Defendant is expected to be on leave for the Thanksgiving holiday. Defendant makes this
2 request in good faith with no intention to unduly delay the proceedings. The parties further
3 stipulate that the Court's Scheduling Order shall be modified accordingly.
4

5 Respectfully submitted,

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7 Dated: November 20, 2017

/s/ *Monica Perales
(*as authorized by email on November 17, 2017)
MONICA PERALES
Attorney for Plaintiff

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10
11 Dated: November 20, 2017

PHILLIP A. TALBERT
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DEBORAH LEE STACHEL
Regional Chief Counsel, Region IX
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15 By /s/ Tina L. Naicker
TINA L. NAICKER
Special Assistant U.S. Attorney
Attorneys for Defendant

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17
18 **ORDER**

19 APPROVED AND SO ORDERED:

20
21
22 Dated: November 28, 2017


CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE