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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 (30) days from January 29, 2018 to **February 28, 2018**. This is Defendant’s fourth request for
 23 extension. Good cause exists to grant Defendant’s request for extension. Defendant had an
 24 unexpected death in the family on January 17, 2018 and is attending prayer and funeral services
 25 out of town this week. Good cause also exists as Counsel is currently considering possible
 26 remand of the case based on an incomplete record. Counsel needs additional time in order to
 27 confer with its client regarding the missing records, if any. Based on the foregoing, Counsel
 28 needs additional time to adequately review the transcript and properly respond to Plaintiff’s

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

1 Motion for Summary Judgment and/or potential settlement of the case. 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.
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5 Respectfully submitted,

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7 Dated: January 22, 2018

/s/ *Monica Perales
(*as authorized by email on January 22, 2018)
MONICA PERALES
Attorney for Plaintiff

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10
11 Dated: January 22, 2018

MCGREGOR W. SCOTT
United States Attorney
DEBORAH LEE STACHEL
Regional Chief Counsel, Region IX
Social Security Administration

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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: January 24, 2018


CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE