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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**

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 20 Following further review of the issues raised in Plaintiff’s Motion for Summary
 21 Judgment, Defendant hereby seeks to supplement the Certified Administrative Record (CAR) to
 22 add the missing and/or incomplete files not previously included in the CAR, filed on September
 23 7, 2017 (Dkt. 12). Thus, the parties jointly request to modify the Court’s scheduling order and
 24 allow for supplemental briefing by the parties following filing of the complete CAR by
 25 Defendant.

26 IT IS HEREBY STIPULATED, by and between the parties through their respective
 27 counsel of record, with the Court’s approval, that Defendant shall submit a Supplemental CAR
 28 on or before **February 28, 2018**. To the extent, that Plaintiff believes additional briefing is

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

1 required based on the supplemental CAR, pursuant to the Court's original scheduling order (Dkt.
2 7), Plaintiff shall have forty-five (45) days to file a new Motion for Summary Judgment after
3 service of the supplemental CAR. Following filing and service of any new Motion for Summary
4 Judgment by Plaintiff, Defendant shall have thirty (30) days to respond, and Plaintiff shall have
5 twenty (20) days to file and serve a reply brief, if any, following service of Defendant's response
6 and/or Cross-Motion.

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8 Respectfully submitted,

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10 Dated: February 12, 2018

/s/ *Monica Perales
(*as authorized by email on February 12, 2018)
MONICA PERALES
Attorney for Plaintiff

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14 Dated: February 12, 2018

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18 By /s/ Tina L. Naicker
TINA L. NAICKER
Special Assistant U.S. Attorney
Attorneys for Defendant

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21 **ORDER**

22 APPROVED AND SO ORDERED:

23
24 Dated: February 13, 2018


CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE