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11 **UNITED STATES DISTRICT COURT**
12 **EASTERN DISTRICT OF CALIFORNIA**

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14 CARL EDWARD BROWN,) No. 2:17-cv-00896-DB
15)
Plaintiff,) **STIPULATION RE AMENDING**
16 vs.) **COMPLAINT AND WITHDRAWING**
17) **MOTION TO DISMISS AND ORDER**
NANCY A. BERRYHILL,)
18 Acting Commissioner of Social Security,)
19 Defendant.)
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Stipulation
2:17-cv-00896-DB

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2 IT IS HEREBY STIPULATED, by and between the parties through their respective
3 counsel of record, as follows:

4 Defendant grants leave to Plaintiff to file an Amended Complaint to appeal only the
5 Commissioner's denial of Plaintiff's application for disability insurance benefits under Title II of
6 the Social Security Act.

7 Defendant shall withdraw her Motion to Dismiss (ECF no. 8) after Plaintiff files the
8 Amended Complaint.

9 Pursuant to paragraph 2 of this Court's Scheduling Order (ECF no. 3), Defendant shall
10 file the administrative record and respond to the Amended Complaint within 90 days from the
11 date of service of the Amended Complaint. All other deadlines in the Scheduling Order shall
12 remain in effect.

13 Respectfully submitted,

14 Dated: August 25, 2017

FORSLUND LAW LLC

16 By: /s/ Jacqueline A. Forslund
17 JACQUELINE A. FORSLUND
18 Attorneys for Plaintiff
19 [*As authorized by e-mail on August 25, 2017]

20 Dated: August 31, 2017

PHILLIP A. TALBERT
United States Attorney

22 By: /s/ Margaret Branick-Abilla
23 MARGARET BRANICK-ABILLA
24 Special Assistant United States Attorney
25 Attorneys for Defendant
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ORDER

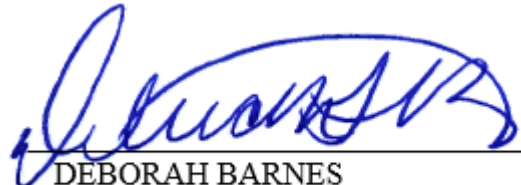
Pursuant to the parties' Stipulation, IT IS HEREBY ORDERED that:

1. Plaintiff may file an Amended Complaint to appeal only the Commissioner's denial of Plaintiff's application for disability insurance benefits under Title II of the Social Security Act.

2. After Plaintiff files the Amended Complaint, Defendant shall withdraw her Motion to Dismiss (ECF No. 8).

3. Defendant shall file the administrative record and respond to the Amended Complaint within 90 days from the date of service of the Amended Complaint. All other deadlines in the Scheduling Order shall remain in effect.

Dated: August 31, 2017


DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

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