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

13 KHATARI COLEMAN,) Case No.: 2:17-cv-1069-EFB
)
 14 Plaintiff,) **STIPULATION AND [PROPOSED]**
) **ORDER TO EXTEND BRIEFING**
 15 v.) **SCHEDULE**
)
 16 NANCY A. BERRYHILL,)
 17 Acting Commissioner of Social Security,)
)
 18 Defendant.)
 19)

20 IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, to
 21 extend Defendant’s time to file her summary judgment motion with the Court by 7 days to
 22 **March 30, 2018**, and that all other scheduling dates set forth in the Court’s Case Management
 23 Order shall be extended accordingly. This is Defendant’s second request for an extension of
 24 time in this matter and she requests it in good faith and without any intent to prolong proceedings
 25 unduly.

26 There is good cause for this extension request because counsel for Defendant has leave
 27 and workload issues that preclude filing the summary judgment motion by March 23, 2018. In
 28 particular, counsel for Defendant will be on leave from March 15 through March 23, 2018, and is

1 presently unable to fully review the record and prepare the Commissioner's cross motion for
2 summary judgment before the March 23, 2018, deadline. Furthermore, counsel for Defendant
3 has other pending workload issues that preclude filing the Commissioner's cross motion for
4 summary judgment before the start of his scheduled leave, such as drafting briefs and summary
5 judgment motions and negotiating (or litigating) attorney fee matters pursuant to the Equal
6 Access to Justice Act before the district courts within the Ninth Circuit, finalizing discovery and
7 preparing substantive pleadings in personnel-related litigation pending before the Equal
8 Employment Opportunity Commission (EEOC), and preparing for an arbitration proceeding
9 involving the agency and one of the agency's collective bargaining units.

10 Counsel for Defendant apologizes to Plaintiff and the Court for any inconvenience caused
11 by this delay.

12 Respectfully submitted,

13
14 Date: March 13, 2018

BAY AREA LEGAL AID

15 By: /s/ Asim H. Modi for Donald Medearis*
16 DONALD MEDEARIS
17 *Authorized by email on March 13, 2018
Attorney for Plaintiff

18 Date: March 13, 2018

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22 By: /s/ Asim H. Modi
ASIM H. MODI
23 Special Assistant United States Attorney
24 Attorneys for Defendant

25 ORDER

26 APPROVED AND SO ORDERED.

27 DATED: March 14, 2018.

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EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE