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

13 CARLOS GARZA,)	Case No.: 2:17-cv-01076-EFB
14 Plaintiff,)	
15 vs.)	STIPULATION AND PROPOSED ORDER
16 NANCY A. BERRYHILL,)	FOR AN EXTENSION OF TIME OF 30
Acting Commissioner of Social Security,)	DAYS FOR DEFENDANT'S RESPONSE TO
17 Defendant.)	PLAINTIFF'S MOTION FOR SUMMARY
)	JUDGMENT
18)	

19
 20 IT IS HEREBY STIPULATED, by and between the parties, through their respective
 21 counsel of record, that Defendant shall have an extension of time of an additional 30 days to
 22 respond to Plaintiff's motion for summary judgment. This is the first continuance sought by
 23 Defendant. The current due date is November 22, 2017. The new due date will be December 22,
 24 2017.

25 There is good cause for this request. Since around the filing of Plaintiff's motion for
 26 summary judgment, Defendant's counsel has been diligently addressing her full workload and
 27 was assigned additional and unanticipated matters that had immediate deadlines and could not be
 28 assigned to another attorney, including one employment law hearing involving travel and witness

1 preparation that occurred in October and a district court hearing in early November, with
2 deadlines that could not be extended. Moreover, Defendant's counsel is continuing to address
3 other previously extended district court cases and one Equal Employment Opportunity
4 Commission matter involving discovery, depositions, and travel during the week of November
5 13, 2016. Moreover, in December, Defendant's counsel will be participating in another hearing
6 involving travel and being out of the office for multiple days.

7 Therefore, Defendant is respectfully requesting additional time up to and including
8 December 22, 2017, to fully review the record and research the issues presented by Plaintiff's
9 opening brief in this case. The parties further stipulate that Plaintiff will have an additional 15
10 days added to the time specified in the scheduling order, for Plaintiff's reply brief, in light of
11 Plaintiff's counsel's travel during the holidays. This request is made in good faith with no
12 intention to unduly delay the proceedings.

13
14 Respectfully submitted,

15 Date: November 22, 2017

BARBARA M. RIZZO, ATTORNEY AT LAW

16
17 *s/ Barbara M. Rizzo by C.Chen**
18 (As authorized by email on 11/21/2017)
19 BARBARA M. RIZZO
Attorneys for Plaintiff

20 Date: November 22, 2017

PHILLIP A. TALBERT
United States Attorney


21 By *s/ Carolyn B. Chen*
22 CAROLYN B. CHEN
23 Special Assistant U. S. Attorney

24 Attorneys for Defendant

25
26 ORDER

APPROVED AND SO ORDERED.

27 DATED: November 28, 2017.

28 
EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE