(SS) Garza	Commissioner of Social Security
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	UNITED STATES DISTRICT COURT			
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10	EASTERN DISTRICT OF CALIFORNIA			
	SACRAMENTO DIVISION			
1	SACRAMEN	TO DIVISION		
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12	SACRAMEN CARLOS GARZA,	TO DIVISION Case No.: 2:17-cv-01076-EFB		
12	CARLOS GARZA,	Case No.: 2:17-cv-01076-EFB		
12		Case No.: 2:17-cv-01076-EFB STIPULATION AND PROPOSED ORDER		
12	CARLOS GARZA, Plaintiff, vs.	Case No.: 2:17-cv-01076-EFB STIPULATION AND PROPOSED ORDER FOR AN EXTENSION OF TIME OF 30 DAYS FOR DEFENDANT'S RESPONSE TO		
12 13 14 15	CARLOS GARZA, Plaintiff, vs. NANCY A. BERRYHILL,	Case No.: 2:17-cv-01076-EFB STIPULATION AND PROPOSED ORDER FOR AN EXTENSION OF TIME OF 30 DAYS FOR DEFENDANT'S RESPONSE TO PLAINTIFF'S MOTION FOR SUMMARY		
12 13 14 15 16	CARLOS GARZA, Plaintiff, vs.	Case No.: 2:17-cv-01076-EFB STIPULATION AND PROPOSED ORDER FOR AN EXTENSION OF TIME OF 30 DAYS FOR DEFENDANT'S RESPONSE TO		
12 13 14 15 16	CARLOS GARZA, Plaintiff, vs. NANCY A. BERRYHILL, Acting Commissioner of Social Security,	Case No.: 2:17-cv-01076-EFB STIPULATION AND PROPOSED ORDER FOR AN EXTENSION OF TIME OF 30 DAYS FOR DEFENDANT'S RESPONSE TO PLAINTIFF'S MOTION FOR SUMMARY		
12 13 14 15 16	CARLOS GARZA, Plaintiff, vs. NANCY A. BERRYHILL,	Case No.: 2:17-cv-01076-EFB STIPULATION AND PROPOSED ORDER FOR AN EXTENSION OF TIME OF 30 DAYS FOR DEFENDANT'S RESPONSE TO PLAINTIFF'S MOTION FOR SUMMARY		
12 13 14 15 16 17 18	CARLOS GARZA, Plaintiff, vs. NANCY A. BERRYHILL, Acting Commissioner of Social Security,	Case No.: 2:17-cv-01076-EFB STIPULATION AND PROPOSED ORDER FOR AN EXTENSION OF TIME OF 30 DAYS FOR DEFENDANT'S RESPONSE TO PLAINTIFF'S MOTION FOR SUMMARY		
12 13 14 15 16 17 18 19	CARLOS GARZA, Plaintiff, vs. NANCY A. BERRYHILL, Acting Commissioner of Social Security, Defendant.	Case No.: 2:17-cv-01076-EFB STIPULATION AND PROPOSED ORDER FOR AN EXTENSION OF TIME OF 30 DAYS FOR DEFENDANT'S RESPONSE TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT		
13 14 15 16 17	CARLOS GARZA, Plaintiff, vs. NANCY A. BERRYHILL, Acting Commissioner of Social Security, Defendant.	Case No.: 2:17-cv-01076-EFB STIPULATION AND PROPOSED ORDER FOR AN EXTENSION OF TIME OF 30 DAYS FOR DEFENDANT'S RESPONSE TO PLAINTIFF'S MOTION FOR SUMMARY		

IT IS HEREBY STIPULATED, by and between the parties, through their respective counsel of record, that Defendant shall have an extension of time of an additional 30 days to respond to Plaintiff's motion for summary judgment. This is the second continuance sought by Defendant. The current due date is December 22, 2017. The new due date will be January 22, 2018.

There is good cause for this request. Since the Court's previous extension of time, Defendant's counsel has been diligently addressing her full workload including several district court cases also previously extended, and one Equal Employment Opportunity Commission matter involving discovery, depositions, and travel in November for a week. Moreover, in

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December, Defendant's counsel participated in a hearing for another employment case involving
travel and that was unexpectedly continued twice, into the week of December 18, 2017, the same
week as the original deadline for Defendant's response due Friday, December 22.

Moreover, Defendant is requesting an additional 30 days because of pre-approved leave in the months of December and early January, and additional unanticipated workload reasons, such as briefing for the employment hearing matter that was continued twice in December, described above.

Therefore, Defendant is respectfully requesting additional time up to and including January 22, 2018, to fully review the record and research the issues presented by Plaintiff's motion for summary judgment in this case. This request is made in good faith with no intention to unduly delay the proceedings.

The parties further stipulate that the Court's Scheduling Order shall be modified accordingly.

Respectfully submitted,

Date: December 21, 2017

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BARBARA M. RIZZO, ATTORNEY AT LAW

<u>s/ Barbara M. Rizzo by C.Chen*</u> (As authorized by email on 12/20/2017) BARBARA M. RIZZO Attorneys for Plaintiff

Date: December 21, 2017

PHILLIP A. TALBERT United States Attorney

By <u>s/Carolyn B. Chen</u> CAROLYN B. CHEN Special Assistant U. S. Attorney Attorneys for Defendant

<u>ORDER</u>

APPROVED AND SO ORDERED.

DATED: January 3, 2018.

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EĎMUND F. BRĚNNAN UNITED STATES MAGISTRATE JUDGE