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

12
 13 CARLOS GARZA,) Case No.: 2:17-cv-01076-EFB
)
 14 Plaintiff,)
)
 15 vs.)
)
 16 NANCY A. BERRYHILL,) STIPULATION AND ~~PROPOSED~~ ORDER
) FOR AN EXTENSION OF TIME OF 14
 Acting Commissioner of Social Security,) DAYS FOR DEFENDANT’S RESPONSE TO
) PLAINTIFF’S MOTION FOR SUMMARY
 17) JUDGMENT AND 35 DAYS FOR
) PLAINTIFF’S REPLY
 Defendant.)
 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 14 days to
 22 respond to Plaintiff’s motion for summary judgment. This is the fourth continuance sought by
 23 Defendant. The current due date is February 21, 2018. The new due date will be March 7, 2018.
 24 The parties also stipulate that Plaintiff will still have an extension of time of 35 days for his
 25 reply.

26 There is good cause for this request. Since the Court’s previous extension of time, the
 27 government experienced brief shutdowns, and Defendant’s counsel had been diligently
 28 addressing her full workload including other district court cases and an employment case with a

1 voluminous record involving briefing. Moreover, since the last extension of time, the parties
2 engaged in settlement negotiations. However, the parties did not reach an agreement and have
3 decided to continue to pursue litigation of this case.

4 Therefore, Defendant is respectfully requesting additional time up to and including
5 March 7, 2018, to provide a response to Plaintiff's motion for summary judgment in this case.
6 The parties further stipulate that Plaintiff will have 35 days until May 2, 2018 to provide his
7 reply to Defendant's response since Plaintiff's counsel will be out of the country from February
8 to April.

9 This request is made in good faith with no intention to unduly delay the proceedings.

10
11 Respectfully submitted,

12 Date: February 16, 2018

BARBARA M. RIZZO, ATTORNEY AT LAW

13
14 s/ Barbara M. Rizzo by C.Chen*
15 (As authorized by email on 2/16/2018)
16 BARBARA M. RIZZO
17 Attorneys for Plaintiff

18 Date: February 16, 2018

MCGREGOR W. SCOTT
United States Attorney

19 By s/ Carolyn B. Chen
20 CAROLYN B. CHEN
21 Special Assistant U. S. Attorney

22 Attorneys for Defendant

23 ORDER

24 APPROVED AND SO ORDERED.

25 DATED: February 21, 2018

26 
27 HON. EDMUND F. BRENNAN
28 UNITED STATES MAGISTRATE JUDGE