

1 PHILLIP A. TALBERT
 Acting United States Attorney
 2 DEBORAH LEE STACHEL
 Regional Chief Counsel, Region IX
 3 Social Security Administration
 ALLISON J. CHEUNG, CSBN 244651
 4 Special Assistant United States Attorney
 5 160 Spear Street, Suite 800
 San Francisco, CA 94105-1545
 6 Telephone: (510) 970-4811
 7 Facsimile: (415) 744-0134
 E-mail: allison.cheung@ssa.gov

8 Attorneys for Defendant

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

13	ISSAC TIETJEN,)	Case No. 2:20-cv-02065-DMC
14)	
15	Plaintiff,)	STIPULATION AND ORDER FOR AN
16)	EXTENSION OF TIME
17	vs.)	
18)	
19	ANDREW SAUL,)	
20	Commissioner of Social Security,)	
21)	
22	Defendant.)	

22 IT IS HEREBY STIPULATED, by and between the parties through their respective
 23 counsel of record, with the Court's approval, that Defendant shall have a 45-day extension of
 24 time, from September 15, 2021 to November 1, 2021, for Defendant to respond to Plaintiff's
 25 motion for summary judgment (Dkt. No. 18).

26 ///
 27 ///
 28 ///

1 This is Defendant's first request for an extension of time. In support of this request, the
2 Commissioner respectfully states the following:

3 1. Primary responsibility for handling this case has been delegated to the Office of
4 the Regional Chief Counsel, Region IX, in San Francisco, California (the "Region IX Office").

5 2. Defendant's response to Plaintiff's opening brief is currently due September 15,
6 2021. Defendant has not previously requested an extension of time for this deadline.

7 3. The Region IX Office currently handles all district and circuit court litigation
8 involving the Social Security program arising in Arizona, California, Hawai'i, Nevada, and
9 Guam.

10 4. The Region IX Office employs 47 staff attorneys, of whom 27 handle civil
11 litigation involving the Social Security program in these eight assigned jurisdictions, at least
12 part-time. Between July 15, 2021, and August 14, 2021, the Region IX Office had 247 district
13 court briefs due in the jurisdictions it handles. In addition, the Region IX Office had five
14 appellate cases requiring briefing before the United States Court of Appeals for the Ninth Circuit
15 during that period.

16 5. In addition to this "program" litigation, the 27 staff attorneys in the Region IX
17 Office maintain other workload responsibilities, with most of them dedicating 40 percent or more
18 of their time to these workloads. The Region IX Office provides a full range of legal services as
19 counsel for the Social Security Administration, in a region that covers four states (including the
20 most populous state in the nation) and three territories. These other workloads include
21 employment litigation; civil rights investigations; bankruptcy matters; and requests for legal
22 advice on wide-ranging topics, including employee conduct and performance, reasonable
23 accommodation, hostile work environment, ethics, Privacy Act and disclosure, torts, property,
24 and contracts.

25 6. The undersigned attorney has ten briefs due in district court cases over the next
26 month. This number is expected to increase in the next week, with more Plaintiff's briefs to be
27 filed. In addition to cases in the active briefing stage, the undersigned must also allocate time to
28

1 work on cases in other stages of litigation. Since Plaintiff's opening brief was filed, the
2 undersigned has worked on over 25 district court cases at varying stages of litigation. Counsel is
3 also responsible for other substantive non-litigation matters in the Region IX Office.

4 7. Due to the volume of the overall workload within the Region IX Office, neither
5 the undersigned attorney nor another attorney in the Region IX Office anticipate being able to
6 complete briefing by the current due date of September, 2021. Therefore, Defendant seeks an
7 extension of 45 days, until November 1, 2021, to respond to Plaintiff's motion.

8 8. This request is made in good faith and is not intended to delay the proceedings in
9 this matter.

10 9. On September 8, 2021, counsel for Defendant conferred with Plaintiff's counsel,
11 who has no opposition to this motion.

12 WHEREFORE, Defendant requests until November 1, 2021, to respond to Plaintiff's
13 motion. The parties further stipulate that the deadline for any reply by Plaintiff, if necessary,
14 will be extended accordingly.

15
16 Respectfully submitted,

17
18 Dated: September 8, 2021

19 /s/ Jared Walker*
20 (*as authorized via email on September 8, 2021)
21 JARED WALKER
22 Attorney for Plaintiff

23
24 Dated: September 8, 2021

25 PHILLIP A. TALBERT
26 Acting United States Attorney
27 DEBORAH LEE STACHEL
28 Regional Chief Counsel, Region IX
Social Security Administration

By: /s/ Allison J. Cheung
ALLISON J. CHEUNG
Special Assistant U.S. Attorney
Attorneys for Defendant

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Dated: September 9, 2021



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28