

1 PHILLIP A. TALBERT  
 United States Attorney  
 2 MATHEW W. PILE  
 Associate General Counsel  
 3 Office of Program Litigation, Office 7  
 Oscar Gonzalez de Llano  
 4 Special Assistant United States Attorney  
 Social Security Administration  
 5 160 Spear Street, Suite 800  
 San Francisco, CA 94105  
 6 Telephone: (510) 970-4818  
 Email: Oscar.Gonzalez@ssa.gov  
 7 Attorneys for Defendant

8  
 9  
 10  
 11 UNITED STATES DISTRICT COURT  
 12 EASTERN DISTRICT OF CALIFORNIA

13  
 14 JESSICA SAOIRSE SMITH,  
 Plaintiff,  
 15  
 v.  
 16  
 17 KILOLO KIJAKAZI,  
 Acting Commissioner of Social Security,  
 18 Defendant.

No. 2:23-cv-01327-CKD

STIPULATED MOTION AND ORDER FOR AN EXTENSION OF TIME TO RESPOND TO PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT

19  
 20  
 21 IT IS HEREBY STIPULATED, by and between the parties through their respective  
 22 counsel of record, with the Court’s approval, that Defendant’s time for responding to Plaintiff’s  
 23 Motion for Summary Judgment be extended thirty (30) days from November 13, 2023 to  
 24 December 13, 2023. This is Defendant’s first request for an extension. Counsel for Plaintiff has  
 25 no objection to Defendant’s request for an extension.

26 Good cause exists for this request. Defendant respectfully requests this additional time  
 27 because Counsel for Defendant has and will be unable to devote the time required to complete its  
 28 response. Counsel for Defendant had to take some personal leave last week to provide child care

1 coverage for his child due to illness and now Counsel is out of the office on leave due to illness.  
2 Counsel also has a few merit briefs currently due in district court cases next week. Counsel for  
3 Defendant also plans to be out of the office on scheduled leave from 11/20/2023 until  
4 11/24/2023. Thus unexpected and scheduled leave have compounded issues related to an already  
5 increased workload resulting in various competing deadlines. The undersigned Counsel  
6 apologizes to the Court and Plaintiff's counsel for any inconvenience caused by this request and  
7 delay. Given this situation an extension until December 13, 2023 will provide the opportunity for  
8 the undersigned Counsel for Defendant to prioritize completing the response to Plaintiff's Motion  
9 for Summary Judgment. Furthermore, a reassignment of this matter to another staff attorney is  
10 currently not tenable given the high volume of cases that all of our limited staff is handling.  
11 Counsel apologizes to the Court for any inconvenience caused by this delay and does not  
12 anticipate the need for any further extensions. All other dates in the Court's Scheduling Order  
13 shall be extended accordingly.

14  
15 Respectfully submitted,

16 PHILLIP A. TALBERT  
17 United States Attorney

18 DATE: November 13, 2023

19 By: s/ Oscar Gonzalez de Llano  
20 OSCAR GONZALEZ DE LLANO  
21 Special Assistant United States Attorney  
22 Attorneys for Defendant

23  
24 Respectfully submitted,

25 Attorneys for Plaintiff

26 DATE: November 13, 2023

27 By: s/ Lawrence D. Rohlfing \*  
28 Lawrence D. Rohlfing  
Law Offices of Lawrence D. Rohlfing, Inc., CPC  
(\*as authorized by email)

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

ORDER

Pursuant to Defendant’s Motion, IT IS SO ORDERED that the motion to extend time (ECF No. 14) is GRANTED. Defendant shall have an extension, up to and including December 13, 2023, to respond to Plaintiff’s Motion for Summary Judgment.

Dated: November 14, 2023



---

CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE