

1 PHILLIP A. TALBERT  
United States Attorney  
2 MATHEW W. PILE, WSBN 32245  
Associate General Counsel  
3 Office of Program Litigation, Office 7  
4 Social Security Administration  
JUSTIN L. MARTIN, MO 62255  
5 Special Assistant United States Attorney  
6 6401 Security Boulevard  
Baltimore, Maryland 21235  
7 Telephone: (206) 615-3735  
E-Mail: justin.l.martin@ssa.gov

8 Attorneys for Defendant  
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14 UNITED STATES DISTRICT COURT  
15 EASTERN DISTRICT OF CALIFORNIA  
16 SACRAMENTO DIVISION

17 JERSEY JOE BREEDLOVE-O'NEAL II,  
18

19 Plaintiff,

20 vs.

21 MARTIN O'MALLEY,  
22 Commissioner of Social Security,

23 Defendant.  
24

Civil No. 2:24-cv-00398-JDP

25 STIPULATION AND ~~PROPOSED~~ ORDER  
26 FOR EXTENSION OF TIME TO FILE THE  
27 ELECTRONIC CERTIFIED  
28 ADMINISTRATIVE RECORD AS THE  
ANSWER TO PLAINTIFF'S COMPLAINT

25 Pending the Court's approval, the parties stipulate through their respective counsel that  
26 Defendant, the Commissioner of Social Security (the "Commissioner"), shall have a thirty-day  
27 extension of time to respond to Plaintiff's Complaint in this case from May 13, 2024, up to and  
28

1 including June 12, 2024. In support of this request, the Commissioner respectfully states as  
2 follows:

- 3 1. Defendant's response to Plaintiff's Complaint is due to be filed by May 13, 2024.  
4 Defendant has not previously requested an extension of this deadline.
- 5 2. In accordance with the Federal Rules of Civil Procedures, recently amended to add  
6 Supplemental Rules for Social Security review cases under 42 U.S.C. § 405(g), the  
7 Commissioner files a certified administrative record (CAR) as the Answer to a  
8 Complaint for review.
- 9 3. Counsel for the Commissioner has been informed by the client agency, which is the  
10 Social Security Administration, Office of Appellate Operations, that the CAR is not  
11 fully prepared in this matter. The client agency therefore needs more time to prepare  
12 the CAR for the Court's review.
- 13 4. For this reason, Defendant requests an extension to June 12, 2024 (30 days), to file an  
14 Answer or other response in this matter.
- 15 5. Counsel for the Commissioner has consulted with Plaintiff's counsel who advised that  
16 he has no objection to this extension request.
- 17 6. This request is made in good faith and is not intended to delay the proceedings in this  
18 matter.
- 19 7. I am attempting to preserve limited judicial resources and have applied the most rapid  
20 response under the circumstances.

21 WHEREFORE, Defendant requests until June 12, 2024, to respond to Plaintiff's  
22 Complaint.

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DATE: May 13, 2024

Respectfully submitted,

Weems Law Offices

/s/ Robert Weems\*

ROBERT WEEMS

Attorney for Plaintiff

(\*as authorized via email on May 9, 2024)

PHILLIP A. TALBERT

United States Attorney

MATHEW W. PILE

Associate General Counsel

Office of Program Litigation, Office 7

Social Security Administration

DATE: May 13, 2024

By

s/ Justin L. Martin

JUSTIN L. MARTIN

Special Assistant United States Attorney

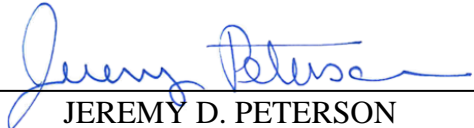
Attorneys for Defendant

ORDER

Pursuant to stipulation,

IT IS SO ORDERED.

Dated: May 13, 2024

  
\_\_\_\_\_  
JEREMY D. PETERSON  
UNITED STATES MAGISTRATE JUDGE