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5 Attorneys for Plaintiff MICHAEL P. WALSH

6  
 7 **UNITED STATES DISTRICT COURT**  
 8 **NORTHERN DISTRICT OF CALIFORNIA**  
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10 MICHAEL P. WALSH,	)	Case No.: CV 15-02737 KAW
11	)	
12 Plaintiff,	)	STIPULATION TO EXTEND
13	)	BRIEFING SCHEDULE
14 vs.	)	
15	)	
16 CAROLYN COLVIN, Acting	)	
Commissioner of Social Security,	)	
Defendant	)	

17 TO THE HONORABLE KANDIS A. WESTMORE, MAGISTRATE  
 18 JUDGE OF THE DISTRICT COURT:

19 Plaintiff Michael P. Walsh (“Plaintiff”) and defendant Carolyn Colvin,  
 20 Acting Commissioner of Social Security (“Defendant”), through their undersigned  
 21 counsel of record, hereby stipulate, subject to the approval of the Court, to extend  
 22 the time for Plaintiff to file Plaintiff’s Motion for Summary Judgment or Remand  
 23 to September 14, 2016; and that Defendant shall have until October 17, 2016, to  
 24 file her opposition, if any is forthcoming. Any reply by plaintiff will be due  
 25 October 21, 2016.  
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1           A final extension of time for plaintiff is needed in order to properly address  
2 the issues within the administrative record in this matter as well as the demands  
3 arising from complications related to Counsel Spouse's terminal illness which has  
4 unexpectedly worsened in the last few weeks. Subsequent to a surgical procedure  
5 on July 6, 2016 to remove tumors in the spine/hip as a result of stage 4 breast  
6 cancer, Counsel's spouse was not discharged until July 9, 2016 and then Counsel's  
7 spouse was re-admitted to the hospital for 5 days on July 15, 2016 due to  
8 complications arising from the July 6<sup>th</sup> surgery. Counsel's spouse was also  
9 admitted on August 1, 2016 and then discharged on August 5, 2016, to provide  
10 treatment for intractable pain related to the terminal illness. Upon discharge from  
11 the hospital Counsel's spouse required less minimal assistance in the home due to  
12 ambulatory issues that were anticipated to grow worse. Unfortunately, due to a  
13 deterioration in her condition in the last few weeks, Counsel's spouse now requires  
14 in home medical assistance 15 hours a day. Counsel required the time to deal with  
15 this change in condition and has taken steps to secure the at home care which his  
16 spouse now requires in order to better allow him to attend to his professional  
17 obligations.

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1 Counsel sincerely apologizes to the court for any inconvenience this may  
2 have had upon it or its staff.

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4  
5 DATE: September 12, 2016

Respectfully submitted,

6 LAW OFFICES OF LAWRENCE D. ROHLFING

7 /s/ Steven G. Rosales

8 BY: \_\_\_\_\_

Steven G. Rosales

Attorney for plaintiff

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10 DATED: September 12, 2016

BRIAN J. STRETCH

United States Attorney

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13 \*/S/- Henry Chi

14 \_\_\_\_\_  
Henry Chi

15 Special Assistant United States Attorney

16 Attorney for Defendant

17 [\*Via email authorization]

1 IT IS HEREBY ORDERED that plaintiff may have an extension of time, to  
2 and including September 14, 2016, in which to file Plaintiff's Motion for Summary  
3 Judgment or Remand; Defendant may have an extension of time to October 17,  
4 2016 to file her opposition, if any is forthcoming. Any reply by plaintiff will be  
5 due October 21, 2016.

6 IT IS SO ORDERED.

7 DATE: 9/20/16

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10 THE HONORABLE KANDIS A. WESTMORE  
11 UNITED STATES MAGISTRATE JUDGE  
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