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9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA

12 JAIN PIYUSH,)	CIVIL NO. 4:16-cv-04603-HSG
13 Plaintiff,)	
14 vs.)	DEFENDANT’S MOTION AND ORDER
15)	FOR A FIRST EXTENSION OF TIME
16 NANCY A. BERRYHILL, ¹)	FOR DEFENDANT TO FILE MOTION
Acting Commissioner of Social Security,)	FOR SUMMARY JUDGMENT AND IN
17 Defendant.)	OPPOSITION TO PLAINTIFF’S
)	MOTION FOR SUMMARY
)	JUDGMENT

19 The Commissioner (Defendant) hereby moves this Court to grant an extension of sixty (60) days
 20 to deliver her Motion for Summary Judgment and in Opposition to Plaintiff’s Motion for Summary
 21 Judgment. The current due date is April 14, 2017. The new due date would be June 13, 2017.

22 Defendant further moves that all other dates will be extended accordingly, and Plaintiff’s reply would be
 23 due to Defendant by June 27, 2017. Pursuant to this Court’s Procedural Order for Social Security
 24 Review Actions (Dkt. Entry No. 3), Plaintiff’s motion for summary judgment or remand was due on or
 25 before December 28, 2016. Plaintiff ultimately filed his motion on March 17, 2017 (Dkt. Entry No. 15),
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27 ¹ Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d) of the
 28 Federal Rules of Civil Procedure, Nancy A. Berryhill should be substituted for Acting Commissioner
 Carolyn W. Colvin as the defendant in this suit. No further action needs to be taken to continue this suit
 by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 following this Court's Order to Show Cause (Dkt. Entry No. 12). The attorney responsible for briefing
2 this case, Gina Tomaselli, underwent surgery two days prior to date on which Plaintiff filed his motion
3 and proposed order, and is still recovering. Ms. Tomaselli is on a reduced schedule and has a
4 particularly heavy caseload due to having been on medical leave.
5

6 This is the first extension of time requested by Defendant in this matter. Defendant sought
7 consent from Plaintiff to file this motion but he did not consent. This request is made in good faith with
8 no intention to unduly delay the proceedings.

9 Respectfully submitted,

10 Dated: April 6, 2017

11 BRIAN STRETCH
12 United States Attorney
13 DEBORAH LEE SATCHEL
14 Regional Chief Counsel, Region IX

15 By: /s/ Jennifer Lee Tarn
16 JENNIFER LEE TARN
17 Special Assistant United States Attorney

18 Attorneys for Defendant

19 OF COUNSEL:
20 GINA TOMASELLI
21 Special Assistant United States Attorney
22 United States Social Security Administration

23 ORDER

24 PURSUANT TO DEFENDANT'S MOTION, IT IS SO ORDERED.

25 DATED: April 7, 2017

26 
27 THE HONORABLE HAYWOOD S. GILLIAM, JR.
28 UNITED STATES JUDGE