| Greiss v. Col | vin et al | |
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| 7 | Attorneys for Defendant | |
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| 10 | UNITED STATES DISTRICT COURT | |
| 11 | DISTRICT OF NEVADA | |
| 12 | LAURA GREISS, |) |
| 13 | Plaintiff, | Case No. 2:17-cv-00235-RFB-NJK |
| 14 | V. | MOTION FOR EXTENSION OF TIME |
| 15 | NANCY A. BERRYHILL, | (FIRST REQUEST) |
| 16 | Acting Commissioner of Social Security, ¹ | |
| 17 | Defendant. | |
| 18 | |) |
| | Pursuant to Rule 6(b)(1) of the Federal Rules of Civil Procedure and Rule 6-1 of this | |
| 19 | Court's Local Rules, the United States moves for an order providing the United States with a | |
| 20 | fourteen (14) day extension of time from July 3, 2017 to July 17, 2017, in which to respond to | |
| 21 | the Complaint in this matter and file a copy of the administrative record. There have not been | |
| 22 | any previous requests for such an extension of time. | |
| 23 | any previous requests for such an extension of t | IIIIC. |
| 24 | | |
| 25 | | |
| 26 | Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d) | |
| 27 | of the 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 | |
| 28 | Act, 42 U.S.C. § 405(g). | senience of section 203(g) of the Social Security |

Doc. 10

In support of this motion, the United States relies on the Memorandum of Points and Authorities below. Dated June 30, 2017. STEVEN W. MYHRE Acting United States Attorney
District of Nevada /s/ Ben A. Porter BEN A. PORTER Special Assistant United States Attorney

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MEMORANDUM OF POINTS AND AUTHORITIES

Federal Rule of Civil Procedure 6(b)(1) and Local Rule 6-1 allow a party to request additional time to perform an act. In this case, the United States requests additional time to file a response to the complaint for the reasons set forth below.

An extension of time is needed in order to prepare Defendant's Answer because the Commissioner is still in the process of assembling and finalizing the administrative record. This request is made in good faith with no intention to unduly delay the proceedings. Counsel for Defendant attempted to meet and confer with Plaintiff's counsel by email and by phone on June 30, 2017, in order to obtain agreement to an extension for an unopposed motion; however, counsel was unable to reach Plaintiff's counsel.

Based on these circumstances, the United States requests an extension of time of fourteen (14) days from July 3, 2017 to July 17, 2017, in which to respond to the Complaint in this matter and file a copy of the administrative record.

This motion is brought in good faith and not for purposes of undue delay.

Respectfully submitted this 30th day of June 2017.

STEVEN W. MYHRE Acting United States Attorney District of Nevada

/s/ Ben A. Porter BEN A. PORTER

Special Assistant United States Attorney

DEBORAH LEE STACHEL

OF COUNSEL:

Regional Chief Counsel, Region IX

IT IS SO ORDERED:

UNITED STATES MAGISTRATE JUDGE

DATED: July 3, 2017