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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

Eduardo Felix, Plaintiff, vs. Kilolo Kijakazi, Acting Commissioner of Social Security, Defendant.	Case No. 1:20-cv-01774-AWI-BAM STIPULATION AND ORDER FOR EXTENSION OF TIME

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, that Plaintiff shall have a 65-day extension of time, from November 8, 2021 to January 12, 2022, for Plaintiff to serve on defendant with Plaintiff's Opening Brief. All other dates in the Court's Scheduling Order shall be extended accordingly. Good cause exists for this extension. Counsel has recently received a greater number of Answers and Certified Administrative Records from defendant in cases in this district, and the three other California Districts, each of which require settlement negotiations or merit briefing. Counsel

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has a greater than usual number of merit briefs due in November and December 2021. Thus, Counsel is requesting an extension through January 12, 2022 to accommodate the number of cases due in November and December 2021. For the week of November 8, 2021, Counsel has six merit briefs due, four settlement letter briefs, and one Reply brief. Counsel also has seven administrative hearings before the Office of Hearings Operations. After that and for the remainder of November, Counsel has over 15 merit briefs, several letter briefs and replies, and over 15 administrative hearings.

Due to the increase in certified administrative records being filed by defendant, Counsel for Plaintiff has a larger than usual number of briefs due for the months of November and December 2021.

Compounding the issue of an increased number of merit briefs due, Counsel has preplanned vacation days for the Thanksgiving holiday, and the last two weeks for the Christmas holidays. Counsel respectfully requests the Court granted the requested extension.

Counsel for the Plaintiff does not intend to further delay this matter. Defendant does not oppose the requested extension. Counsel apologizes to the Defendant and Court for any inconvenience this may cause.

Respectfully submitted,

Dated: October 8, 2021 PENA & BROMBERG, ATTORNEYS AT LAW

By: *<u>/s/ Jonathan Omar Pena</u>*
JONATHAN OMAR PENA
Attorneys for Plaintiff

Dated: October 8, 2021 PHILLIP A. TALBERT

Acting United States Attorney
DEBORAH LEE STACHEL
Regional Chief Counsel, Region IX
Social Security Administration

By: **/s/ Oscar Gonzalez de Llano*
Oscar Gonzalez de Llano
Special Assistant United States Attorney
Attorneys for Defendant
(*As authorized by email on October 8, 2021)

ORDER

Pursuant to the parties' request, and for good cause shown, IT IS SO ORDERED that Plaintiff shall have an extension, up to and including January 12, 2022, to file Plaintiff's Opening Brief. All other dates in the Court's Scheduling Order (Doc. No. 5.) shall be extended accordingly.

IT IS SO ORDERED.

Dated: **November 4, 2021**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE