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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

RAYMOND CHRISTOPHER WHITE, Plaintiff, v. COMMISSIONER OF SOCIAL SECURITY, Defendant.	Civil No. 2:25-cv-02451-JDP **STIPULATION AND ~~[PROPOSED]~~ ORDER FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFF'S COMPLAINT**

The parties stipulate through counsel that Defendant, the Commissioner of Social Security (the "Commissioner"), shall have an extension of time to respond to Plaintiff's Complaint in this case. In support of this request, the Commissioner respectfully states as follows:

1. Defendant's response to Plaintiff's Complaint is due October 27, 2025. Defendant has not previously requested an extension of this deadline.

2. At the end of the day on September 30, 2025, the appropriations that have been funding the Department of Justice expired and appropriations to the Department lapsed. The same is true for most Executive agencies, including federal defendant Social Security Administration (SSA). It is not clear when funding will be restored by Congress.

3. In the absence of either a Fiscal Year 2026 appropriation or a continuing resolution to continue the ongoing operations of the Social Security Administration (SSA), no further financial

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obligations may be incurred by SSA, except for that work which, as defined by law, is excepted from the limitations of Anti-Deficiency Act (ADA). *See* 31 U.S.C. §§ 1341–1342.

4. Effective Monday, October 20, 2025, the Social Security Administration has determined that undersigned counsel and colleagues within his office may perform work on Social Security cases arising under 42 U.S.C. § 405(g) during the current lapse in appropriations as excepted work.

5. Although the undersigned counsel is permitted to work on Social Security cases arising under 42 U.S.C. § 405(g) as of October 20, 2025, undesigned counsel has many pressing deadlines resulting from the lapse in funding. Furthermore, we currently do not have staff available to perform the filing of the eCARs.

6. Given this situation Defendant requests an extension of 30 days to respond to Plaintiff's Complaint.

7. Counsel for the Commissioner has consulted with Plaintiff's counsel who advised that they have no objections.

8. This request is made in good faith and is not intended to delay the proceedings in this matter.

WHEREFORE, Defendant requests until November 26, 2025, respond to Plaintiff's Complaint.

Respectfully submitted,

Date: *October 28, 2025*

By: */s/ Francesco Paulo Benavides*
Francesco Paulo Benavides
Law Offices of Francesco Benavides
Attorney for Plaintiff
(*as authorized by email)

Date: *October 28, 2025*

ERIC GRANT
United States Attorney
MATHEW W. PILE
Head of Program Litigation 1

By: */s/ Oscar Gonzalez de Llano*
OSCAR GONZALEZ de LLANO
Special Assistant United States Attorney
Attorneys for Defendant

ORDER

IT IS SO ORDERED.

Dated: October 28, 2025

JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE