

**UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA**

R.C. v. Commissioner of Social Security

R.C. · No. 4:24-cv-07367-HSG · Decided May 12, 2025

OPINION

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COURT 10 NORTHERN DISTRICT OF CALIFORNIA 11 12 R.C.,)) Civil No. 4:24-cv-07367-
HSG 13 Plaintiff,)) 14 v.)) MOTION TO EXTEND TIME TO FILE) PLAINTIFF’S REPLY
BRIEF; ORDER 15 Commissioner of Social Security,)) 16 Defendant.)) 17)) 18 19 Pursuant
to FRCP Rule 6(b)(1)(A), Plaintiff hereby moves the Court to extend, until 20 May 24, 2025, the
date to file Plaintiff’s Reply Brief in Support of Reversal of the Decision of 21 the Commissioner.

Plaintiff’s Reply is due on or before May 9, 2025, however, undersigned 22 counsel needs more
time to review the evidence and draft her Reply. 23 24 Specifically, good cause exists to extend
time because Plaintiff was diagnosed with 25 metastatic cancer less than two weeks ago, and this
week, Plaintiff’s counsel received over 900 26 pages of new medical evidence of diagnoses
including squamous cell carcinoma and bone 27 metastasis.

Plaintiff’s counsel’s cursory review of the new evidence suggests to her that it may 28 be material,
directly relating to evidence at issue in this case, including Plaintiff’s hearing! || testimony.
Additional time is needed for Plaintiffs counsel to review the new evidence prior to 2 drafting the
Reply, to assess whether good cause exists to file a motion requesting incorporation 3 1 of the new
evidence into the record, per 42 U.S.C. § 405(g); Mayes v. Massanari, 276 F.3d 453, 5 || 463 (9th
Cir.

2001) (quoting Key v. Heckler, 754 F.2d 1545, 1551 (9th Cir. 1985) (“If new 6 information
surfaces after the Secretary’s final decision and the claimant could not have || obtained that
evidence at the time of the administrative proceeding, the good cause requirement 8 is
satisfied.”)). 9 0 Undersigned counsel has conferred with counsel for Defendant and counsel for
11 || Defendant has indicated no objection to a 15-day extension of time for Plaintiff to file her 12
|| Reply.

13 14 || Respectfully submitted May 9, 2025. 15 16. By: /s/ Caroline J. Alegre 17 CAROLINE J.
ALEGRE 8 Homeless Action Center Attorney for Plaintiff 19 20 ORDER 21 22 APPROVED
AND SO ORDERED: 23 24 25 Dated: 5/12/2025 ff. 26 HON. HAYWOOD S. GILLIAM, JR. 57
United States District Court Judge 28 flaca NIRA ASDA ay W7247 DOCG

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