

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

**Jose Eduardo M. v. Frank Bisignano**

No. 3:25-cv-01039-AHG, United States District Court for the Southern District of California (June 17, 2025)

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**OPINION**

1 2 3 4 5 6 7 8 9 UNITED STATES DISTRICT COURT 10 SOUTHERN DISTRICT OF  
CALIFORNIA 11 12 JOSE EDUARDO M., Case No.: 3:25-cv-01039-AHG 13 Plaintiff, ORDER  
GRANTING JOINT MOTION FOR EXTENSION OF 14 v. TIME TO FILE ADMINISTRATIVE  
15 FRANK BISIGNANO, Commissioner of RECORD Social Security,1 16 [ECF No. 6] 17  
Defendant. 18 19 Before the Court is the parties' Joint Motion for Extension of Time to File the 20  
Administrative Record ("AR").

ECF No. 6. 21 Parties seeking to continue a deadline must demonstrate good cause. Chmb.R. at 2  
22 (stating that any request for continuance requires "[a] showing of good cause for the 23  
request"); see FED. R. CIV. P. 6(b) ("When an act may or must be done within a specified 24  
time, the court may, for good cause, extend the time"). "Good cause" is a non-rigorous 25 26 1  
Frank Bisignano became the Commissioner of the Social Security Administration on 27 May 7,  
2025.

Although Plaintiff originally brought this action against Former Acting Commissioner Lee Dudek,  
this case may properly proceed against Frank Bisignano 28 1 /standard that has been construed  
broadly across procedural and statutory contexts. 2 || Ahanchian v. Xenon Pictures, Inc., 624 F.3d  
1253, 1259 (9th Cir. 2010).

The good cause 3 || standard focuses on the diligence of the party seeking to amend the scheduling  
order and 4 ||the reasons for seeking modification. Johnson v. Mammoth Recreations, Inc., 975  
F.2d 5 609 (9th Cir. 1992) ("[T]he focus of the inquiry is upon the moving party's reasons 6 ||for  
seeking modification.... If that party was not diligent, the inquiry should end.") 7 || Gnternal  
citation omitted).

8 Here, the deadline for Defendant to file the AR in this case is June 23, 2025. See 9 ||CivLR  
7.1(e)(6)(d) ("The certified administrative record filed by the Social Security 10 || Administration  
will suffice as the agency's answer to the complaint, and will be due sixty 11 after transmission of  
the Notice of Electronic Filing of the complaint"); see also ECF 12 ||No.

2 (the Notice of Electronic Filing, filed on April 24, 2025). Defendant's counsel 13 represents to  
the Court that the Office of Appellate Operations "is currently preparing" the 14 || AR and that  
work on the AR "has progressed." ECF No. 6-1 at 2.

However, the agency 15 ||needs additional time to prepare the AR and, after it is prepared, counsel then needs to 16 || review it for accuracy and completion. /d. As such, the parties request a 30-day extension. 17 || ECF No. 6 at 2. 18 Upon due consideration, the Court finds good cause to GRANT the parties' joint 19 ||motion. ECF No. 6.

The deadline for Defendant to serve the Certified Administrative 20 || Record is continued to July 23, 2025. 21 IT IS SO ORDERED. 22 || Dated: June 17, 2025 23 24 \_Abiomt. Xl Honorable Allison H. Goddard 25 United States Magistrate Judge 26 27 28