

## UNITED STATES DISTRICT COURT

## EASTERN DISTRICT OF CALIFORNIA

10 PATRICK WALSH, ) 1:10-cv-01060 LJO GSA  
11 Plaintiff, ) **ORDER DISCHARGING ORDER TO**  
12 v. ) **SHOW CAUSE**  
13 COMMISSIONER OF SOCIAL SECURITY, ) (Docket No. 17)  
14 Defendant. ) **ORDER GRANTING EXTENSION OF**  
15 ) **TIME**  
16 \_\_\_\_\_ )  
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18 On February 10, 2011, this Court issued an Order to Show Cause for Defendant  
19 Commissioner of Social Security's failure to file an opposition brief, due January 28, 2011.  
20 (Docket No. 17.)

21 On February 11, 2011, Defendant filed a Response to the Order to Show Cause. Counsel  
22 Elizabeth Firer, Special Assistant United States Attorney for Defendant, explains that this matter  
23 had been assigned to another attorney within Defendant's office, Elizabeth Barry; however, for  
24 procedural reasons, Ms. Firer was associated in the matter to receive CM/ECF notifications as  
25 Ms. Barry did not yet have "SAUSA status." (Docket No. 18 at 2.) While Ms. Firer was on  
26 medical leave, Plaintiff's opening brief was filed, thus requiring an opposition by January 28,

1 2011. Ms. Firer only became aware of the fact she remained associated with this matter on  
2 February 11, 2011, when she returned to the office following medical leave and learned of the  
3 Order to Show Cause. Counsel states the failure to file an opposition brief was an oversight, and  
4 requests an extension of time within which to file the opposition brief, to and including March  
5 11, 2011. (Docket No. 18 at 2-3.)

6 This Court accepts Defendant's explanation and VACATES the Order to Show Cause.  
7 Also, consistent with Defendant's response, this Court GRANTS Defendant's request for an  
8 extension of time, through and until **March 11, 2011**, within which to file an opposition brief.

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10 IT IS SO ORDERED.

11 Dated: February 14, 2011

12 /s/ Gary S. Austin  
13 UNITED STATES MAGISTRATE JUDGE  
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