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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DWAYNE COLLINS,)	1:10-cv-01301 OWW GSA
)	
Plaintiff,)	ORDER GRANTING STIPULATION OF
)	DECEMBER 23, 2010, IN PART
v.)	
)	
MICHAEL J. ASTRUE, Commissioner of)	
Social Security,)	
)	
Defendant.)	

On July 21, 2010, this Court issued a Scheduling Order in this matter. In part, the Order provided that Plaintiff or Appellant Dwayne Collins was to serve a letter brief on Defendant or Respondent Michael J. Astrue, Commissioner of Social Security, “[w]ithin thirty (30) days after service of the administrative record . . .” (Doc. 7, ¶ 3.)

The administrative record was filed on November 22, 2010. (Doc. 15.) Thus, Plaintiff was to serve his letter brief no later than December 22, 2010. However, on December 23, 2010, one day after the deadline, the parties filed a Stipulation requesting that the deadline for Plaintiff’s confidential letter brief be extended from December 22, 2010, to January 21, 2011. The parties did not address the tardiness of their request or otherwise explain their delay.

1 The parties are directed to Local Rule 144, which provides, in pertinent part:

2 **(d) Time for Requesting Extensions.** Counsel shall seek to obtain a
3 necessary extension from the Court or from other counsel or parties in an action as
4 soon as the need for an extension becomes apparent. Requests for Court-
approved extensions brought on the required filing date for the pleading or other
document are looked upon with disfavor.

5 Here, the Court has considered the Stipulation filed December 23, 2010, and **GRANTS** it

6 **IN PART** as follows:

7 1. Plaintiff shall file his confidential letter brief no later than **January 11, 2011;**

8 2. Defendant shall then serve a response to Plaintiff's letter brief no later than
9 **January 25, 2011;**

10 3. Thereafter, the remaining deadlines and due dates referenced in the Scheduling
11 Order dated July 21, 2010 (*see* Doc. 7, ¶¶ 5-9), will remain in effect.

12 IT IS SO ORDERED.

13 **Dated: December 27, 2010**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE