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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

TRINA EVERETT,	)	Case No.: 1:10-cv-01831-OWW-SKO
	)	
Plaintiff,	)	<b>ORDER GRANTING REQUEST FOR</b>
	)	<b>EXTENSION OF TIME</b>
v.	)	
	)	(Doc. 19)
MICHAEL J. ASTRUE,	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	
	)	

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On August 1, 2011, the parties filed a stipulated request that Plaintiff be granted a second extension of time until September 12, 2011, to file an opening brief.<sup>1</sup> (Doc. 19.) The Court GRANTS the parties' request.

Absent a showing of good cause, Plaintiff will **not** be granted any additional extensions in this action. The schedule is modified as provided below.

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<sup>1</sup> Local Rule 144(d) controls the time for requesting extensions and states that "Counsel shall seek to obtain a necessary extension. . . as 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." The Court notes that Plaintiff requested this extension on August 1, 2011, the day the opening brief was due pursuant to the previously granted extension. (Doc. 18.) While the Court will grant this extension, Counsel is advised to strive to adhere to Local Rule 144 and to request an extension when the need becomes apparent and not when the filing is due.

1 Accordingly, IT IS HEREBY ORDERED THAT:

- 2 1. Plaintiff shall file an opening brief **on or before September 12, 2011**;
- 3 2. The Commissioner shall file a responsive brief **on or before October 17, 2011**; and
- 4 3. Plaintiff may file a reply brief **on or before November 4, 2011**.<sup>2</sup>

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6 IT IS SO ORDERED.

7 **Dated: August 1, 2011**

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE

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26 <sup>2</sup> These dates reflect application of the Federal Rules of Civil Procedure 6(a)(1)(C), 6(a)(6)(A), and 6(d); no

27 additional days are to be added pursuant to Rule 6.