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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

KENNETH JOSEPH BORRELLI,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

) Case No.: 1:10-cv-02396-SKO

) **ORDER GRANTING PARTIES'**
) **REQUEST FOR AN EXTENSION OF**
) **TIME**

) (Doc. 13)

On October 5, 2011, the parties filed a stipulated request that Plaintiff be granted an extension of time to file an opening brief. The parties request that Plaintiff's time to file an opening brief be extended until December 1, 2011.¹ While the Court will extend the parties' schedule

¹ Although the parties state in their stipulated request that Plaintiff's deadline to file an opening brief is currently October 17, 2011, this is incorrect. On June 23, 2011, the parties filed a stipulated request to extend Plaintiff's time to serve Defendant with a confidential letter brief, which was granted by the Court on June 24, 2011. (Doc. 11.) In the Court's June 24, 2011, order, the schedule was set as follows: Plaintiff's opening brief was to be filed on or before October 25, 2011; the Commissioner's responsive brief was to be filed on or before November 28, 2011, and Plaintiff was permitted to file an optional reply brief on or before December 16, 2011. (Doc. 11.)

1 pursuant to their October 5, 2011, stipulation, no further extensions of time will be granted in this
2 case absent truly good cause set forth by declaration or affidavit.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The parties' stipulated request for an extension of time is GRANTED;
- 5 2. Plaintiff's opening brief shall be **filed on or before December 1, 2011;**
- 6 3. Commissioner's responsive brief shall be **filed on or before January 3, 2012;** and
- 7 4. Plaintiff may file a reply brief **on or before January 23, 2012.**

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9 IT IS SO ORDERED.

10 **Dated: October 5, 2011**

11 /s/ Sheila K. Oberto
12 UNITED STATES MAGISTRATE JUDGE
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