

1 the case, Plaintiff was to file an opening brief no later than 30 days after service of the
2 Commissioner's responsive confidential letter brief. (Doc. 6, ¶ 6; Doc. 12, 5:2-3.)

3 Here, the administrative record was filed and served on November 14, 2012. (Doc. 15.) As
4 such, Plaintiff was required to serve the Commissioner with a confidential letter brief **no later than**
5 **Monday, December 17, 2012**. See Fed. R. Civ. P. 5(b)(2)(C), (E); Fed. R. Civ. P. 6(d). (Doc. 6,
6 ¶ 3; Doc. 12, 3:25-4:2.) In turn, the Commissioner was required to serve a responsive confidential
7 letter brief on Plaintiff **no later than Friday, January 25, 2013**.¹ See Fed. R. Civ. P. 5(b)(2)(C);
8 Fed. R. Civ. P. 6(d). (Doc. 6, ¶ 4; Doc. 12, 4:10-11.) As the parties have not filed a stipulation to
9 remand the case, Plaintiff's opening brief was to be filed with the Court no later than **Thursday,**
10 **February 28, 2013**. See Fed. R. Civ. P. 5(b)(2)(C); Fed. R. Civ. P. 6(d). (Doc. 6, ¶ 6; Doc. 12, 5:2-
11 3.) On March 4, 2013, instead of filing an opening brief, Plaintiff filed a notice and additional
12 medical information she requests be included in the Court's consideration of her appeal. (Doc. 18.)

13 As Plaintiff has failed to file an opening brief, IT IS HEREBY ORDERED that **no later than**
14 **March 12, 2013**, the Commissioner shall file a statement indicating when (or whether) service of
15 the confidential letter briefs occurred.

16 IT IS SO ORDERED.

17 **Dated: March 6, 2013**

18 /s/ Sheila K. Oberto
19 UNITED STATES MAGISTRATE JUDGE

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¹ The calculation of these dates presumes that the parties each served their respective confidential letter briefs
on the day of the deadline.