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

TRACY A. MILDEBRANT-ANDERSON,

CASE NO. 1:13-cv-00315-SKO

Plaintiff,

v.

**ORDER THAT DEFENDANT FILE A
RESPONSIVE BRIEF OR A STATUS
REPORT**

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

_____ /

Plaintiff Tracy A. Mildebrandt-Anderson filed an opening brief on September 26, 2013. (Doc. 11.) Pursuant to the scheduling order, Defendant was required to file a responsive brief within 30 days from service of Plaintiff's opening brief. With additional time for service pursuant to Rule 6 of the Federal Rules of Civil Procedure, Defendant's brief was due no later than October 31, 2013. As of the date of this order, Defendant has not filed a responsive brief.

The Court notes that the Federal government was shutdown for a period of time during October, and Defendant requested a stay of proceedings in multiple cases due to a lack of funding. In this case, however, no request for a stay of proceedings was requested.

Accordingly, IT IS HEREBY ORDERED that by no later than November 15, 2013, Defendant shall **either** file a responsive brief **or** file a status report indicating why no brief was filed and whether additional time beyond November 15, 2013, is necessary to file a responsive brief.

IT IS SO ORDERED.

Dated: **November 12, 2013**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE