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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MOLLY LO,) Case No.: 1:16-cv-0610- JLT
)
Plaintiff,) ORDER GRANTING PLAINTIFF’S
) APPLICATION FOR LEAVE TO FILE A LATE
v.) OPENING BRIEF
)
NANCY A. BERRYHILL¹,) (Doc. 13)
Acting Commissioner of Social Security,)
)
Defendant.)

On March 3, 2017, Plaintiff filed her opening brief in the action, after the filing deadline, as well as an application for late filing. (Docs. 15, 16) Denise Bourgeois Haley, Plaintiff’s counsel, reports the opening brief was completed on time, but she “failed to task the filing clerk to file the brief” and “was then out of the office for several days.” (Doc. 16 at 1) Ms. Haley reports she informed Defendant’s counsel of her oversight, and Defendant did not indicate an application for late filing would be opposed. (*Id.*) Based upon the information provided, Plaintiff’s application for a late filing is **GRANTED** nunc pro tunc.

IT IS SO ORDERED.

Dated: March 7, 2017

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

¹ Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Nancy A. Berryhill is substituted for her predecessor, Carolyn W. Colvin, as the defendant.