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

OLIN SCOTT ANDERSON,  
  
Plaintiff,  
  
v.  
  
COMMISSIONER OF SOCIAL SECURITY.  
  
Defendant.

Case No. 1:16-cv-01434-SAB  
  
ORDER RE STIPULATION FOR SECOND  
EXTENSION OF TIME TO FILE OPENING  
BRIEF  
  
(ECF No. 16)

On September 26, 2016, Plaintiff filed the present action seeking review of the Commissioner’s denial of an application for benefits. On September 29, 2016, the Court issued a scheduling order. (ECF No. 6). On June 6, 2017, after the deadline for Plaintiff to file his opening brief had passed, the parties filed a stipulation for an extension of time for Plaintiff to file his opening brief. (ECF No. 14.) On June 7, 2017, the Court ordered that Plaintiff shall file an opening brief on or before June 28, 2017. (ECF No. 15.) The Court noted in the order that it would have been prudent for the parties to have filed the stipulation prior to the deadline as the court had prepared, but not signed, an order to show cause on Plaintiff for failure to timely file the opening brief. The Court reminded the parties that any failures to comply with the scheduling order may result in sanctions pursuant to Local Rule 110.

On June 30, 2017, Plaintiff filed a stipulation to extend the time to file his opening brief from June 28, 2017, to August 25, 2017. (ECF No. 16.) Based on the stipulation, the time for

1 Plaintiff to file his opening brief will be extended to August 25, 2017. However, Plaintiff should  
2 have filed the stipulation prior to the deadline. The parties are advised that absent extraordinary  
3 circumstances, the parties should file any requests for extensions of deadlines prior to the  
4 expiration of the deadline. The parties are advised that any future failures to comply with the  
5 scheduling order in this matter **will result in sanctions** pursuant to Local Rule 110.

6 The parties are advised that due to the impact of social security cases on the Court's  
7 docket and the Court's desire to have cases decided in an expedient manner, requests for  
8 modification of the briefing scheduling will not routinely be granted and will only be granted  
9 upon a showing of good cause. Further, requests to modify the briefing schedule that are made  
10 on the eve of a deadline will be looked upon with disfavor and may be denied absent good cause  
11 for the delay in seeking an extension. If done after a deadline, the party seeking an extension  
12 must show additional good cause why the matter was filed late with the request for nunc pro  
13 tunc.

14 Accordingly, IT IS HEREBY ORDERED that:

- 15 1. Plaintiff shall file an opening brief on or before August 25, 2017;
- 16 2. Defendant's response to Plaintiff's opening brief shall be filed on or before  
17 September 25, 2017; and
- 18 3. Plaintiff's reply, if any, shall be filed on or before October 10, 2017.

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21 IT IS SO ORDERED.

22 Dated: June 30, 2017

  
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UNITED STATES MAGISTRATE JUDGE