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6	UNITED STATES DISTRICT COURT	
7	EASTERN DISTRICT OF CALIFORNIA	
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9	PHOUA HER,	No. 1:19-cv-1111-GSA
10	Plaintiff,	ORDER GRANTING MOTION TO FILE AN OVERLONG REPLY BRIEF
11	V.	
12	ANDREW SAUL, Commissioner of Social Security,	(Doc. 28)
13		
14	Defendant.	
15	Plaintiff's counsel appaaring before this Court for the first time moves for an order to	
16	Plaintiff's counsel, appearing before this Court for the first time, moves for an order to	
17	permit the filing of an attached overlong (thirteen page) reply brief. Doc. 28. In a perfunctory	
18	motion which fails to identify any substantive or procedural basis for the motion, counsel	
19	contends only that an overlong brief is necessary '[d]ue to the large quantity of relevant testimony	
20	and evidence of record in this case, requiring extensive detail and discussion." Doc. 28.	
21	The Court limits the length of reply briefs to conserve the resources of both the Court and	
22	the parties' attorneys. A plaintiff is expected to set forth their contentions, and the evidence	
23	supporting them, fully in the opening brief. The reply brief is intended to do no more than	
24	present a very brief reply or clarification of matters set forth in the defendant's opposition. In	
25	many cases no reply brief is necessary.	
26	The overlong reply brief submitted in this case could easily have satisfied the page	
27	limitations but for the unnecessary repetition of arguments and citations already set forth in the	
28	opening brief. The Court observes that the administrative record in this case consists of 757 1	

1	pages, which is about average for a social security disability appeal. The Court finds that in this	
2	case that the filing of an overlong brief was neither necessary nor appropriate based on this	
3	modest record.	
4	Unfortunately, requiring counsel to rewrite the reply brief does not support the objective	
5	of economy of time, particularly since the Court was already required to review the brief to	
6	determine whether its length was necessary. Accordingly, the Court will accept the brief in the	
7	form that has been filed, however counsel should be on notice that future requests of this nature	
8	will not likely be granted.	
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10	IT IS SO ORDERED.	
11	Dated: September 15, 2020 /s/ Gary S. Austin UNITED STATES MAGISTRATE JUDGE	
12	UNITED STATES MADISTRATE JUDGE	
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