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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 SONIA GRyder,

No. CIV S-09-2052-CMK

12 Plaintiff,

13 vs.

ORDER

14 COMMISSIONER OF SOCIAL
15 SECURITY,

16 Defendant.
_____ /

17 Plaintiff, who is proceeding with retained counsel, brings this action for judicial
18 review of a final decision of the Commissioner of Social Security under 42 U.S.C. § 405(g). On
19 May 7, 2010, the court approved Plaintiff's stipulation extending the time for filing a motion for
20 summary judgment to July 2, 2010. However, by July 13, 2010, no motion for summary
21 judgment had been filed. The court then issued an order to show cause why this action should
22 not be dismissed for Plaintiff's failure to file a dispositive motion.

23 Plaintiff responded to the order to show cause by filing a response with a request
24 for additional time due to counsel's excusable neglect. Counsel indicated that opposing counsel
25 has no objection to her late filed motion. Plaintiff also requested one additional extension of
26 time, to August 13, 2010, to file the motion for summary judgment. Said motion has now been

1 filed.

2 Good cause appearing therefor, the order to show cause is discharged, and
3 Plaintiff's motion for summary judgment is deemed properly filed. Defendant's cross-motion for
4 summary judgment shall be filed pursuant to the time set forth in the court's scheduling order.

5 IT IS SO ORDERED.

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7 DATED: August 25, 2010

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9 **CRAIG M. KELLISON**
10 UNITED STATES MAGISTRATE JUDGE
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