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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WENDY SUSAN ARMSTRONG,
Plaintiff,
v.
COMMISSIONER OF SOCIAL
SECURITY,
Defendant.

No. 2:14-cv-1305-MCE-KJN

ORDER

On December 10, 2014, plaintiff filed her opening motion for summary judgment. (ECF No. 16.) Since then, the Commissioner has already been granted two extensions to file a cross-motion for summary judgment, with the cross-motion for summary judgment presently due on March 12, 2015. (ECF Nos. 18, 20.) Although that deadline has long passed, the court's records show that the Commissioner has failed to file a cross-motion for summary judgment; nor has the Commissioner requested any further extension of time.

The court expects the Commissioner's counsel, like all litigants, to strictly comply with court deadlines. The court is not unsympathetic to the large volume of cases handled by both counsel for plaintiff and the Commissioner, and thus liberally grants extensions when appropriate. However, if an extension of time is necessary, such an extension should be sought in advance of expiration of the filing deadline and must be supported by good cause.


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Accordingly, IT IS HEREBY ORDERED that:

1. Within fourteen (14) days of this order, the Commissioner shall show cause in writing why monetary sanctions in the amount of \$150.00 should not be imposed based on the Commissioner’s failure to comply with court deadlines. If counsel concludes that he is unable to show good cause, he may pay the monetary sanctions in lieu of filing a written response.
2. Within fourteen (14) days of this order, the Commissioner shall file its cross-motion for summary judgment. No further extensions of time will be granted. If current counsel finds himself unable to comply with that deadline, he should promptly consider reassignment of the case to another attorney for the Commissioner. Failure to timely file the cross-motion for summary judgment will be deemed the Commissioner’s consent to a summary grant of plaintiff’s motion for summary judgment.
3. Plaintiff may, but need not, file a reply brief within 21 days after the filing of any cross-motion for summary judgment.
4. Thereafter, the motion will be submitted for decision without oral argument on the record and written briefing, unless the court subsequently determines that further briefing or oral argument is necessary.

IT IS SO ORDERED.

Dated: March 26, 2015


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE