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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SALMA K. ALI,

Plaintiff,

No. C 07-03628 JSW

v.

COMMISSIONER OF SOCIAL SECURITY,

**ORDER RE ANSWER**

Defendant.

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On August 4, 2008, default was entered against Defendant. Two days later, Defendant attempted to file an answer but Defendant could not properly file an answer until relief from default had been granted. On October 3, 2008, the Court granted Defendant relief from entry of default. On October 29, 2008, the Court issued a briefing schedule requiring Defendant to file an answer by November 26, 2008. When this deadline passed without any filing from Defendant, Plaintiff moved again to have default entered. Defendant filed a response indicating his mistaken belief that he had already properly filed an answer. Defendant is **HEREBY ORDERED** to file an answer by no later than December 8, 2008. If Defendant fails to comply with this deadline, the Clerk is directed to enter default against Defendant.

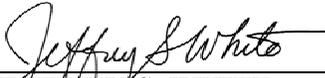
Plaintiff shall serve and file a motion for summary judgment or for remand within thirty days of service of Defendant’s answer. Defendant shall serve and file any opposition or counter-motion within thirty days of service of Plaintiff’s motion. Plaintiff may serve and file a reply within fourteen days of service of Defendant’s opposition or counter-motion. Unless the

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Court orders otherwise, upon conclusion of this briefing schedule, the matter will be deemed submitted for decision without oral argument.

**IT IS SO ORDERED.**

Dated: December 4, 2008

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE