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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

VERONICA BURBRIDGE, Plaintiff, vs. MICHAEL J. ASTRUE, Commissioner of Social Security, Defendant.	CASE NO. 08cv2374 JM(POR) ORDER REQUESTING FURTHER BRIEFING; SCHEDULING ORDER

Michael J. Astrue ("Commissioner") moves to dismiss the action for lack of subject matter jurisdiction pursuant to Fed.R.Civ.P. 12(b)(1). Plaintiff did not timely respond to the motion nor did she serve Defendant with a copy of her late-file opposition, accepted for filing by separate order. In broad brush, Plaintiff argues that she followed the instructions of employees of the Social Security Administration in pursuing her administrative remedies. In order to fully develop and address the issues raised by Plaintiff, the court requests a response from the Commissioner. The Commissioner is instructed to file a response to Plaintiff's opposition no later than November 20, 2009. At that time, pursuant to Local Rule 7.1(d)(1), the matter will be taken under submission without oral argument.

IT IS SO ORDERED.

DATED: October 29, 2009

Hon. Jeffrey T. Miller
United States District Judge

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