

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DAVID ARRIAGA SR.,)
)
 Plaintiff,)
)
 v.)
)
 MICHAEL J. ASTRUE, Commissioner of)
 Social Security Administration,)
)
 Defendant.)
 _____)

8:11CV261

ORDER REGARDING BRIEFING
SCHEDULE

The above-captioned case was filed and assigned for full disposition to the docket of Magistrate Judge Thomas D. Thalken on July 29, 2011. The government filed its Answer on December 19, 2011, and a Scheduling Packet was sent to counsel. Pursuant to 28 U.S.C. § 636(c)(2) each party was given the deadline of January 20, 2012, “to consent to have a United States Magistrate Judge conduct any and all further proceedings in the case, including the trial, and order the entry of a final judgment” and a briefing schedule was established.

On January 9, 2012, counsel acknowledged the availability of a United States Magistrate Judge but elected to have this case randomly assigned to a United States District Judge. After conferring with both counsel,

IT IS ORDERED that:

1. the briefing schedule of December 19, 2011, ECF filing 15, shall remain in effect; therefore, the plaintiff shall have on or before February 22, 2012, in which to file and serve a brief in support of the plaintiff's position;
2. the defendant shall have on or before March 22, 2012, in which it shall file and serve a response brief;
3. the plaintiff may file and serve a reply brief on or before April 6, 2012, and either party may request oral argument or make any other request which may be permitted under 42 U.S.C. § 405(g); and

4. in the absence of an order setting the case for oral argument or scheduling further proceedings, the case shall be deemed to be submitted at the expiration of the time period specified in paragraph 3 hereof.

Dated January 10, 2012.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge