

# DK DENNIS KENNY LAW

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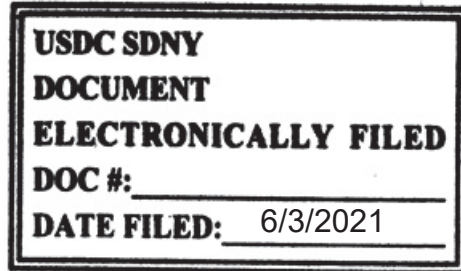
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VIA ECF

JUNE 3, 2021

HON. ROBERT W. LEHRBURGER  
 United States Magistrate Judge  
 United States Courthouse  
 Southern District of New York  
 500 Pearl Street  
 New York, NY 10007

RE: Russ v. Commissioner SSA  
 20-CV-06389 (LGS) (RWL)

Your Honor:

This office represents Plaintiff in the above-referenced Social Security appeal.

Pursuant to Your Honor's supplemental order dated 12/11/20, Plaintiff's motion for judgment on the pleadings was due to be filed on June 2. Yesterday, June 2, we were just informed that no settlement has been reached and that Defendant intends to proceed with its defense of the Commissioner's action.

Due to a number of deadlines based on widespread delays in filing of Administrative records, Plaintiff now respectfully requests, *nunc pro tunc*, an additional 30 days within which to file her motion for judgment on the pleadings. We have been unable to reach Defendant at this time to ask for consent to this extension of time.

Should your Honor allow the extension, Plaintiff's motion would then be due on Monday, July 5. Defendant's cross-motion would be due on Friday, September 3. Plaintiff's reply, if any, would be due by Friday, September 24.

No previous request for such relief has been made. Thank you for your consideration.

ADDITIONAL OFFICES AT:

55 MAIN STREET, GOSHEN, NY | 3344 ROUTE 9 NORTH, 1<sup>ST</sup> FLOOR, POUGHKEEPSIE, NY | 18 COMPUTER DRIVE WEST, SUITE 109, ALBANY, NY

THE FIRM RESERVES THE RIGHT TO ASSIGN ALL MATTERS TO ANY MEMBER OR ASSOCIATE ATTORNEY

Respectfully submitted,

/s/ JOSEPHINE GOTTESMAN

CC: MARY ELLEN BRENNAN, AUSA

The request for an extension comes after the due date for filing of Plaintiff's motion has expired. This Court's individual rules require requests for adjournment be filed at least 48 hours in advance of the relevant deadline. Counsel is directed to adhere to this and all other requirements going forward. The adjournment requested is GRANTED.

SO ORDERED:

6/3/2021

A handwritten signature in black ink, appearing to be 'R. Lehrburger', written over a horizontal line.

HON. ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE