UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

SARAH MICHELLE LEMAY,

Plaintiff,

v.

NANCY A. BERRYHILL, Acting Commissioner of Social Security,

Defendant.

Case No. C17-733-JPD

MINUTE ORDER

The following Minute Order is made at the direction of the Court, the Honorable James P. Donohue, United States Magistrate Judge:

Plaintiff's opening brief (Dkt. 11) fails to comply with LCR 5(f), which provides, "Proof of service of all filings required or permitted to be served . . . shall be made by certificate or acknowledgement of service on the document itself. Parties should not file a separate proof of service document unless it is necessary." Here, plaintiff has neither filed a separate certificate of service, nor affixed a certificate of service on plaintiff's opening brief, as required by LCR 5(f). *See* Dkt. 11.

In addition, plaintiff fails to comply with briefing requirements set forth in the Court's Scheduling Order, which requires plaintiff to identify the alleged errors on page one of the opening brief with specificity. The Scheduling Order provides that "a general statement of an issue, such as 'the ALJ's decision to deny benefits is not supported by substantial evidence,' is

unacceptable." Dkt. 10 at 2. Despite this directive, plaintiff's opening brief includes just such a general and unhelpful statement of the issue: "The issue before this Court is whether the Commissioner's decision to deny Plaintiff's application for SSI and SSDI is supported by substantial evidence and free of legal error." Dkt. 11 at 1.

Accordingly, the Court STRIKES plaintiff's opening brief, Dkt. 11, for failure to comply with the local rules of this district as well as the Scheduling Order. Plaintiff is advised that in the future, if a Certificate of Service is not appended to a brief or other filing, the Court will order that the brief or other filing be stricken and re-filed in a format that otherwise complies with LCR 5(f).

(2) Plaintiff shall file an amended opening brief by no later than **Friday, August 25, 2017**. **All other deadlines in the Scheduling Order, Dkt. 10, remain unchanged.**

(3) The Clerk is directed to send to a copy of the Order to all counsel of record.

DATED this 23rd day of August, 2017.

WILLIAM M. McCOOL, Clerk

By: s/ Tim Farrell
Deputy Clerk