

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MILTON S. GOODSON : CIVIL ACTION  
 :  
 v. :  
 :  
 KENNETH S. APFEL, : NO. 00-CV-4307

MEMORANDUM AND ORDER

J. M. KELLY, J.

June 6, 2001

The Court has before it two motions filed by Kenneth S. Apfel, Commissioner of Social Security. The first is a Motion to Dismiss Plaintiff's Complaint (Document No. 10), and the second motion is Defendant's Motion for Leave to File an Answer to Plaintiff's Complaint After Time Provided by Fed.R.Civ.P. 15(a) (Document No. 11). There is no answer to either of these motions. The Deputy Clerk of Court attempted to call plaintiff's counsel, Bryan K. Woodruff, at his listed office of the firm of Binder & Binder, 1760 Market Street, Philadelphia, PA. The Deputy Clerk was informed that Mr. Woodruff was at the law firm of Binder & Binder in New York City. Upon calling the firm of Binder & Binder in New York City, a person who was not an attorney stated there was no objection to the Motion for Extension of Time being granted. He further stated that Mr. Woodruff was not at the firm's office in New York, but was in Chicago opening a new law office for the firm of Binder & Binder. The Court directs that another attorney at the firm of Binder &

Binder, 1760 Market Street, Philadelphia, PA 19103, shall, within ten (10) days of the date of this Order enter, his appearance as local counsel in this matter.

If counsel does not respond to Defendant's motions within ten (10) days of the date of this Order, pursuant to Local Rule of Civil Procedure 7.1(c), the Court may grant the motions as uncontested.

BY THE COURT:

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JAMES MCGIRR KELLY, J.

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