

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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KATHLEEN M. HOLTZ,

Plaintiff,

v.

ORDER

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

07-C-314-C

Defendant.

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This case presents an appeal from an adverse decision of the Commissioner of Social Security brought pursuant to 42 U.S.C. § 405(g). The matter is fully briefed and ready for a decision by this court. Plaintiff, however, has asked this court to delay its decision until the Court of Appeals for the Seventh Circuit has issued an opinion in a set of cases presenting the same issue. *See* *dk.* 17. The parties have briefed the issue to the court of appeals but have not had oral argument scheduled yet. How long after oral argument the court would issue its opinion is anyone's guess. This court is not inclined to grant an indefinite stay. If this court's decision ends up being contrary to the Seventh Circuit's decision in the other cases, then the parties may seek relief in the procedurally appropriate fashion. Plaintiff's request for a stay is DENIED.

Entered this 6<sup>th</sup> day of November, 2007.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge