

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

FILED

STANDING SCHEDULING ORDER – SOCIAL SECURITY CASE

Unless otherwise ordered by the Court, the parties shall adhere to the following Scheduling Order. To the extent any prior scheduling order was entered in this case, the terms and conditions of this Scheduling Order shall be controlling. Further, to the extent that the CM/ECF notification system automatically enters deadlines that are inconsistent with any deadline specifically addressed in this Scheduling Order, the terms and conditions of this Scheduling Order shall be controlling.

I. Deadlines:

- (a) Defendant shall file the Administrative Record no later than **60 Days** following service of the Complaint on the agency, the Attorney General and the United States Attorney.
- (b) Within **60 Days** after the filing of the Administrative Record, the plaintiff must serve and file a Motion for Order Reversing the Commissioner's Decision, or for other relief, and a supporting memorandum.
- (c) Within **60 Days** after the plaintiff files a Motion for Order Reversing the Commissioner's Decision, the defendant must serve and file a Motion for Order Affirming the Decision of the Commissioner, and a supporting memorandum.
- (d) The Court will construe the defendant's motion and supporting memorandum as a response to plaintiff's motion and memorandum. Thus, within **14 Days** after the defendant files a Motion for Order Affirming the Decision of the Commissioner, and a supporting memorandum, the plaintiff may file a reply pursuant to Local Rule 7(d).
- (e) After **7 months** from the filing of the complaint, if there is no action by either party, a Local Rule 41(a) notice will issue.
- (f) Any Motion for Attorney's Fees under the Equal Access to Justice Act, 28 U.S.C. § 2412, shall be filed no later than **30 Days** from the date a judgment becomes final. [The date of entry of judgment starts the 60-day period for appeal. After the expiration of these 60 days, a party has the 30 days specified by the Equal Access to Justice Act to file a Motion for Attorney's Fees]. A party filing such a Motion must attest therein that he or she first attempted to settle the issue of attorney fees under the Equal Access to Justice Act with opposing counsel.

II. Requests for Extensions of Time:

- (a) Given the deadlines set in Section I supra, requests for extensions of time are discouraged, and unless circumstances dictate otherwise, counsel should generally not seek extensions.

III. Form and Content of Motions and Supporting Memoranda:

- (a) In accordance with Local Rule 7(a)(2), except by permission of the Court, briefs or memoranda of law shall not exceed forty (40) pages. In cases where the administrative record is not voluminous or novel issues of law have not been raised, the Court would appreciate counsel limiting their briefs or memoranda of law to twenty-five (25) pages.
- (b) Consistent with the Electronic Filing Order in Social Security Cases, all documents filed electronically, including the Administrative Record, must be filed in OCR text searchable PDF format.
- (c) All motions and memoranda filed with the Clerk shall meet the following requirements:
 - (1) all text in the body of the document must be double-spaced, except that text in block quotations and footnotes may be single-spaced;
 - (2) extensive footnotes and block quotations may not be used to circumvent page limitations;
 - (3) documents must have one-inch margins on all four sides; and
 - (4) pages must be consecutively numbered.
- (d) The parties should avoid boilerplate discussions of the governing legal standards as the Court is familiar with the standard of review and the sequential evaluation process employed in the analysis of Social Security disability applications. The parties should focus on informing the court of relevant and controlling legal authority and applying it to the facts of this case.
- (e) Additionally, to expedite the Court's consideration of these motions, counsel for the parties must confer to prepare a Stipulation of Facts based on the administrative record. The Stipulation of Facts shall contain page citations to the administrative record and be filed as a separate document contemporaneously with the plaintiff's motion. In the unusual case in which some of the factual disputes remain, plaintiff shall file as an exhibit to his or her motion a statement containing those remaining

disputed facts, again with specific citations to the record. Counsel for plaintiff must also provide the court with an affidavit detailing the efforts made to reach agreement as to the material facts.

- (f) Unless defendant files a motion for voluntary remand, defendant shall file, as an exhibit to its motion, a response to plaintiff's statement containing disputed facts, either (1) agreeing with the statement as presented or (2) disagreeing with the statement or (3) indicating any material omissions. Once again, any submission must contain specific citations to the record supporting each assertion in the statement.

SO ORDERED at New Haven, Connecticut.

/s/ Janet C. Hall

Janet C. Hall, Chief Judge
United States District Court