

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

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) Plaintiff shall file a return of service within **7 days** of the last date of service on defendant.
- (b) Defendant shall file an Answer and the Administrative Record no later than **60 Days** following service of the Complaint on the agency, the Attorney General and the United States Attorney.
- (c) Within **60 Days** after the filing of the Answer, the plaintiff must serve and file a Motion for Order Reversing the Commissioner's Decision, or for other relief, and a supporting memorandum.
- (d) 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.
- (e) 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).
- (f) 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.
- (g) 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 seek an extension of time for a maximum of thirty (30) days. Any such motion shall include a showing of good cause, as required by Local Rule 7(b)(2).

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) 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.
- (c) 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 applying relevant and controlling legal authority to the facts germane to each disputed issue. Citations to unreported decisions of other district courts are discouraged; if such citations are nonetheless used, the unreported decision must be attached as an exhibit to the memorandum.
- (d) Prior to the filing of any dispositive motions, counsel are encouraged to confer regarding the merits of the case in an effort to determine whether a reversal and voluntary remand are appropriate.

- (e) To expedite consideration of these motions, the plaintiff's memorandum shall contain a medical chronology with record citations, to which the defendant shall respond, either agreeing with the chronology as presented or specifically indicating any material omissions or areas of disagreement, again with record citations. Failure to comply with this section (e) will result in denial of the motion without prejudice to refiling a motion that is in compliance with this order.

SO ORDERED at Bridgeport, Connecticut.

/s/ Holly B. Fitzsimmons
United States Magistrate Judge

Rev 10/27/14