

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



**IN THE MATTER OF ACTIONS SEEKING
REVIEW OF THE COMMISSIONER OF
SOCIAL SECURITY'S FINAL DECISIONS
DENYING SOCIAL SECURITY BENEFITS**

STANDING ORDER

A significant number of cases are filed in this district under 42 U.S.C. § 405(g) or 42 U.S.C. § 1383(c)(3) seeking judicial review of final decisions by the Commissioner of Social Security that deny requests for Social Security benefits. For purposes of uniformity and to ensure that such cases proceed in a timely fashion in the Western District of New York, it is hereby,

ORDERED, that in all Social Security cases filed under 42 U.S.C. § 405(g) and 42 U.S.C. § 1383(c)(3) after the date of this Standing Order, the defendant shall have 90 days after service of the complaint in which to file the certified transcript of administrative proceedings, which shall constitute the defendant's answer, or otherwise move against the complaint; and it is further

ORDERED, that in cases where the plaintiff is represented by counsel, the plaintiff shall file and serve a dispositive motion within 60 days of the date on which the defendant files the certified transcript of administrative proceedings. The defendant shall thereafter file and serve its response to the plaintiff's dispositive motion, which submission must contain a full recitation of the facts and full discussion of the underlying administrative proceedings. If the Court does not otherwise set briefing deadlines by order, the defendant shall have 60 days after service of the plaintiff's dispositive motion to file and serve responding papers, and the plaintiff shall have 21

days after service of the responding papers to file and serve reply papers, if any; and it is further

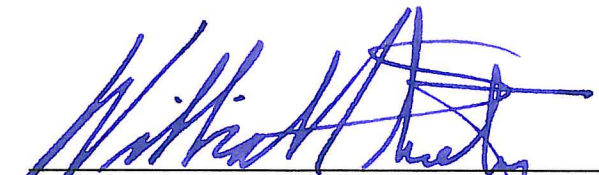
ORDERED, that in cases where the plaintiff proceeds *pro se*, all dispositive motions shall be filed and served within 60 days of the date on which the defendant files the certified transcript of administrative proceedings. If the Court does not set briefing deadlines by order, the parties shall have 60 days after service of the dispositive motions to file and serve responding papers, and have 21 days after service of the responding papers to file and serve reply papers, if any; and it is further

ORDERED, that memoranda in support of or in opposition to any dispositive motion filed under this Standing Order shall not exceed 30 pages in length and reply memoranda shall not exceed 10 pages in length. A party seeking to exceed these page limitations must apply to the Court for leave to do so, with copies to all counsel, no fewer than seven days before the date upon which the memorandum must be filed; and it is further

ORDERED, that this Standing Order supersedes the Standing Order dated December 28, 1992.

SO ORDERED.

Dated: September 5, 2013
Buffalo, NY



WILLIAM M. SKRETNY
Chief Judge
United States District Court