

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

[PLAINTIFF],)	CASE NO. [CASE NO.]
)	
Plaintiff,)	
)	MAGISTRATE JUDGE
v.)	WILLIAM H. BAUGHMAN, JR.
)	
COMMISSIONER OF SOCIAL)	
SECURITY,)	
)	ORDER
Defendant.)	

Brought under 42 U.S.C. § 405(g), this case comes before the Magistrate Judge upon consent to jurisdiction under 28 U.S.C. § 636(c)(1). The Commissioner has now filed the answer and the transcript, and plaintiff [Plaintiff’s Full Name] has filed the Fact Sheet for Social Security Appeals.

The Court has now completed a preliminary review of the transcript and has reviewed the plaintiff’s Fact Sheet. Based on that review, the Court finds the following issue important to the decision in this case:

- [Insert issue]

To advance the disposition of this case, the Court hereby enters the following order:

- On or before [63 days after order] defendant must file a brief addressed to the issue identified above. The brief must contain specific transcript page references to the evidence that defendant presents as substantial evidence in support of the finding referenced in that issue. That brief must also include as an addendum a chart summarizing such evidence. The addendum must

conform to the format attached to this order.¹ **PLEASE NOTE THAT UNDER THIS ORDER, THE COMMISSIONER MUST FILE THE FIRST BRIEF.**

- On or before [33 days after deft brief] plaintiff [Plaintiff's Last Name] must file a brief that addresses the issue identified above in its first section. The brief must contain specific transcript references to the evidence that [Plaintiff's Last Name] claims sustains the position that substantial evidence does not support the finding referenced in that issue. [Plaintiff's Last Name] may address other issues in subsequent sections of [his or her] brief. That brief must also include as an addendum a chart summarizing the evidence that [Plaintiff's Last Name] relies upon in support of [his or her] position. The addendum must conform to the format attached to this order.
- If [Plaintiff's Last Name]'s brief addresses issues other than the one identified above, the Commissioner may file a response on or before [33 days after pltf brief]. To the extent that the response relies upon evidence not included in the addendum to defendant's first brief, a supplemental addendum summarizing such evidence must be submitted with the response.
- The Court will assume that the parties have waived reliance on any evidence not included in addenda to the briefs.
- The parties may file further briefs only with leave of the Court.
- The Court will grant no extensions of the deadlines set forth in this order except upon motion in strict compliance with Federal Rule of Civil Procedure 6(b).

IT IS SO ORDERED.

Dated: [Date of Order]

s/ William H. Baughman, Jr.
United States Magistrate Judge

¹The form of addendum can be obtained by downloading the "pdf" version at www.ohnd.uscourts.gov; (1) click on "Judges," (2) click on "Magistrate Judge William H. Baughman;" (3) scroll down to Forms and click on ▼; (4) click on "Facts and Medical Evidence," which will open the form. The form of addendum can also be obtained by requesting it in WordPerfect 8 format from chambers by calling 216-357-7220. The document will be forwarded to requesting parties via e-mail.

Case Name: _____

Case No.: _____

FACTS - HEARING TESTIMONY		
Page No.	Witness	Details

Case Name: _____

Case No.: _____

Reports of medical tests:			
Page No.	Date	Test Performed	Results/Conclusion

Case Name: _____

Case No.: _____

Other medical evidence:			
Page No.	Date	Description	Details