

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

)	Case No.
)	
Plaintiff,)	
)	
-vs-)	<u>O R D E R</u>
)	
COMMISSIONER OF SOCIAL)	
SECURITY ADMINISTRATION)	Judge
)	
Defendant.)	Magistrate Judge James S. Gallas
)	
)	

The following procedure shall apply to all cases filed seeking a review of a decision by the Commissioner of Health and Human Services referred to the United States Magistrate Judge for report and recommendation, or upon consent of the parties for entry of judgment.

1. Defendant is to file a transcript of the administrative proceedings and answer within sixty (60) days of the filing of a complaint.

2. Within sixty (60) days of the filing of the transcript and answer, counsel for plaintiff must file with the Court a Fact Sheet and Statement of Errors (forms attached hereto) upon which plaintiff seeks reversal of the decision of the Commissioner. If counsel for plaintiff fails to timely file a Fact Sheet and Statement of Errors that complies with the specificity requirements set forth therein, sanctions and, if monetary, not less than \$50.00, may be imposed upon counsel by the Court.

Within thirty (30) days of the filing of plaintiff's Fact Sheet and Statement of Errors, counsel for defendant may file a memorandum of law in support of the Commissioner's decision that is responsive to the issues raised in plaintiff's Statement of Errors.

Both parties will be required to cite case and statutory authority to support their positions. Statements of fact must be supported by transcript references. Plaintiff's Statement of Errors and defendant's memorandum shall not exceed fifteen (15) pages in length each.

3. UNLESS ORDERED BY THE COURT, THE CASE WILL NOT BE SCHEDULED FOR ORAL ARGUMENT.

4. If oral argument is scheduled, each side will be given fifteen (15) minutes to present its position to the Court. Plaintiff shall argue first. Additional time will be permitted for good cause shown. A five minute rebuttal for each side shall be granted at the Court's discretion. Counsel for plaintiff will not be permitted to argue any alleged error not set forth on the Statement of Errors.

IT IS SO ORDERED.

JAMES S. GALLAS
U. S. MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Fact Sheet and Statement of Errors
for Social Security Appeals: Plaintiff

Case Name: _____

Social Security No. _____

1. Type of application(s): _____

2. Date of application: _____

3. Disability onset date: _____

4. Date of expiration of insured status: _____

5. Vocational factors:

Date of birth: _____ Age: _____ (at time of hearing)

Education (last grade completed): _____

Past work experience: _____

Last work experience: _____

6. Basis of ALJ's decision _____

(Ex. nonsevere impairment, prima facie case, grid, vocational testimony, etc.)

7. If claim is based on specific injury, state the specific injury and include transcript reference:

8. If claim is based on diseases, specify the disease and include transcript reference:

9. If opinion of a treating physician is an issue, specify contents, and include transcript reference:

STATEMENT OF ERRORS

1. State error(s) with specificity below. (A general allegation that the Commissioner's decision is unsupported by substantial evidence is insufficient). List each error separately if more than one error is alleged.

2. Cite specific page(s) of the record that establish the error(s) alleged, as well as relevant case law, regulation and/or statutory authority upon which plaintiff relies. The statement should not exceed fifteen (15) pages.