

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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KIMBERLY CLARKE,  
Plaintiff,  
-against-  
Commissioner of Social  
Security,  
Defendant.  
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**ORDER**  
12-CV-4764 (KAM)

**KIYO A. MATSUMOTO, United States District Judge:**

Plaintiff initiated this action by filing a complaint on September 21, 2012. Upon review of plaintiff's complaint and application to proceed *in forma pauperis*, it is hereby

ORDERED that plaintiff is granted leave to proceed without being required to prepay fees or costs, or give security therefor; and

ORDERED that the Clerk of this Court shall forward to the United States Marshal's Office for the Eastern District of New York copies of plaintiff's summons and complaint. The Marshal is directed to serve the summons and complaint upon the defendant without prepayment of fees; and it is further hereby

ORDERED that the parties adhere to the following procedures for expediting the disposition of Social Security cases:

- 1) Defendant shall obtain and serve upon the plaintiff

the administrative record of the proceedings, along with its answer, within ninety (90) days of commencement of this action. If defendant is unable to file the record by that date, then defendant shall notify the court in writing before the ninety days expires. Such notification must include a request for an extension that specifies a date and demonstrates good cause for the extension, including the date the administrative record was requested, whether or not it has been received, and the most recent efforts made to obtain it.

- 2) Defendant shall move for judgment on the pleadings, unless otherwise directed by the court, by service of motion papers upon plaintiff within sixty (60) days of service of the administrative record upon the plaintiff. If this is not possible, the court shall be notified in writing before the sixty days expires. Such notification shall include a request for an extension that specifies a date and demonstrates good cause for the extension.
- 3) Plaintiff's response papers shall be served upon defendant within thirty (30) days thereafter. If this is not possible, the court shall be notified in writing before the thirty days expires. Such

notification shall include a request for an extension that specifies a date and demonstrates good cause for the extension.

- 4) Within fifteen (15) days of receipt of plaintiff's response, defendant shall serve its reply on plaintiff, and will also file the entire set of motion papers and the administrative record with the court.

**SO ORDERED.**

Dated: Brooklyn, New York  
September 26, 2012

\_\_\_\_\_/s/\_\_\_\_\_  
**KIYO A. MATSUMOTO**  
United States District Judge  
Eastern District of New York