Dennis	v.	Sa	I	μ	

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9	Attorneys for Defendant							
10	UNITED STATES	DISTRICT COURT						
11	UNITED STATES DISTRICT COURT							
12	NORTHERN DISTRICT OF CALIFORNIA OAKLAND DIVISION							
13	UARLANL	DIVISION						
14		)						
15	PATRICIA A. DENNIS,	CIVIL NO. 4:20-cv-04360-HSG						
16	Plaintiff,	ORDER AND MOTION FOR						
17	VS.	EXTENSION OF TIME TO FILE THE ELECTRONIC CERTIFIED						
18	ANDREW SAUL,	ADMINISTRATIVE RECORD AND ANSWER TO PLAINTIFF'S						
19	Commissioner of Social Security,	COMPLAINT						
	Defendant.							
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28	Mtn. & Order, 4:20-cv-04360-HSG	1						
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Defendant, Andrew Saul, Commissioner of Social Security (the "Commissioner"), by and through his undersigned attorneys, hereby moves for a 60-day extension of time to file Defendant's Electronic Certified Administrative Record and Answer to Plaintiff's Complaint. Defendant's Electronic Certified Administrative Record and Answer to Plaintiff's Complaint are due to be filed by November 20, 2020.

In light of the global Covid-19 pandemic, SSA has taken the unprecedented step of suspending in-office services to the public: https://www.ssa.gov/coronavirus/. The Agency is focusing on providing the most critical services by mail, phone and online to those most in need. SSA is also taking additional steps to protect its employees and help stop the spread of Covid-19, maximizing social distancing, including significantly limiting employee access to SSA facilities for health and safety only and has moved toward a temporary virtual work environment. Electronic processes allow some of SSA's most critical work to continue with minimal interruption; other workloads have been suspended until the health crisis abates or the Agency is able to create new electronic business processes.

For purposes of this particular case, the public health emergency pandemic has significantly impacted operations in the Social Security Administration's Office of Appellate Operations (OAO) in Falls Church, Virginia. That office is responsible for physically producing the administrative record that is required to adjudicate the case under Sections 205(g) and (h) of the Social Security Act, 42 U.S.C. § 405(g) and (h). *See* SSA Program Operations Manual System GN 03106.025.

As detailed in the attached declaration, at the end of September, OAO had more than 8,700 new court cases waiting to be processed. Additionally, OAO is focusing its efforts on processing the most aged cases and the pandemic has adversely impacted the contractors' capacity to deliver hearing transcripts. Although overall the timeframe for delivering an administrative record has improved, the backlog, prioritizing aged cases, and contractor capacity continue to cause some delays.

Mtn. & Order, 4:20-cv-04360-HSG

1	Given the volume of pending cases	s, Defendant requests a 60-day extension in which to respond					
2	to the Complaint, until January 19, 2021. If in 60 days the electronic certified administrative record is						
3	not prepared, the Commissioner will file a status report with the Court as to when he expects the						
4							
5	administrative record to be completed.						
6	Counsel for Defendant contacted counsel for Plaintiff, and he does not oppose this extension.						
7		Respectfully submitted,					
8	Dated: November 18, 2020	DAVID L. ANDERSON					
9		United States Attorney					
10	By:	<u>/s/ Amanda Schapel</u> AMANDA SCHAPEL					
11		Special Assistant United States Attorney					
12		Attorneys for Defendant					
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1	ORDER
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3	IT IS SO ORDERED:
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5	Dated: 11/19/2020 By: Haywood S. Gill
6	HON. HAYWOOD S. GILLIAM, JK.
7	United States District Judge
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28	Mtn. & Order, 4:20-cv-04360-HSG 4