

**U.S. District Court**  
**Western District of Wisconsin (Madison)**  
**CIVIL DOCKET FOR CASE #: 3:12-cv-00022-wmc**  
***Internal Use Only***

Summers, Lianne v. Colvin, Carolyn W.  
Assigned to: District Judge William M. Conley  
Referred to: Magistrate Judge Stephen L. Crocker  
Cause: 42:405 Review of HHS Decision (DIWW)

Date Filed: 01/09/2012  
Date Terminated: 12/13/2013  
Jury Demand: None  
Nature of Suit: 863 Social Security:  
DIWC/DIWW  
Jurisdiction: U.S. Government Defendant

**Plaintiff****Lianne Rachel Summers**

represented by **Lianne Rachel Summers**  
N3057 County Road D  
Brantwood, WI 54513  
(715) 564-2531  
PRO SE

V.

**Defendant**

**Carolyn W. Colvin**  
*Acting Commissioner of Social Security*

represented by **Leslie K. Herje**  
U.S. Attorney's Office  
222 W. Washington Ave.  
Suite 700  
Madison, WI 53703  
608-264-5158  
Fax: 608-264-5724  
Email: [leslie.herje@usdoj.gov](mailto:leslie.herje@usdoj.gov)  
TERMINATED: 04/09/2014  
LEAD ATTORNEY

**Commissioner of Social Security**  
Office of General Counsel  
Region 5  
200 West Adams Street, 30th Floor  
Chicago, IL 60606  
Email: [ch.il.ogc.wdwisconsin@ssa.gov](mailto:ch.il.ogc.wdwisconsin@ssa.gov)  
ATTORNEY TO BE NOTICED

**Richard Davis Humphrey**  
U.S. Attorney's Office  
222 W. Washington Ave.  
Suite 700  
Madison, WI 53703  
608-264-5158  
Fax: 608-264-5724  
Email: [richard.humphrey@usdoj.gov](mailto:richard.humphrey@usdoj.gov)  
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/09/2012	<u>1</u>	COMPLAINT against Michael J. Astrue filed by Lianne Rachel Summers. (Case randomly assigned to District Judge William M. Conley.) (Attachments: # <u>1</u> Notice of Appeals Council Action, 10/13/11, # <u>2</u> Envelope) (jef) (Entered: 01/09/2012)
01/09/2012	<u>2</u>	Motion for Leave to Proceed in forma pauperis by Plaintiff Lianne Rachel Summers. (jef),(ps) (Entered: 01/09/2012)

01/09/2012	<u>3</u>	ORDER granting <u>2</u> Motion for Leave to Proceed in forma pauperis. Summons to be issued and delivered to US Marshal Service for service. Signed by Magistrate Judge Peter A. Oppeneer on 1/9/2012. (jef),(ps) (Main Document 3 replaced on 1/10/2012) (jef). (Entered: 01/09/2012)
01/10/2012	<u>4</u>	Summons Issued as to Michael J. Astrue. Materials delivered to USMS for service. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons) (jef),(ps) (Entered: 01/10/2012)
01/20/2012	<u>5</u>	Letter dated December 18, 2011 from Office of Disability Adjudication and Review granting Lianne Summers request for more time filed by plaintiff. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 01/20/2012)
01/26/2012	<u>6</u>	Marshal Service Return Executed. U.S. Attorney for the Western District of WI served on 1/25/2012. Answer due 3/26/2012. (elc),(ps) (Additional attachment(s) added on 1/31/2012: # <u>1</u> Certified mail receipt as to Regional Counsel SSA) (jef). (Additional attachment(s) added on 2/8/2012: # <u>2</u> Certified mail receipt as to Attorney General Eric Holder) (jef). (Entered: 01/27/2012)
02/01/2012	<u>7</u>	Supplement / Medical records and documentation regarding extension of time re: <u>1</u> Complaint filed by Lianne Rachel Summers (Attachments: # <u>1</u> Attempt made to verify 30 day extension was given to file federal lawsuit, # <u>2</u> Attempt to obtain extension of time, # <u>3</u> Attempt to obtain extension of time) (jef),(ps) (Additional attachment(s) added on 2/1/2012: # <u>4</u> Envelope) (jef). Modified text on 2/2/2012 (jef). (Entered: 02/01/2012)
02/06/2012	<u>8</u>	Supplement regarding extension of time requested with Appeals Council to file action in District Court re: <u>1</u> Complaint filed by Lianne Rachel Summers (Attachments: # <u>1</u> Change of Address Confirmation Letter, # <u>2</u> List of persons who helped plaintiff send fax on 12/6/11, # <u>3</u> Copy of 12/6/11 Fax sent to Appeals Council re: Extension of time to file in District Court, # <u>4</u> Return Receipt from Appeals Council, # <u>5</u> Envelope) (elc),(ps) (Entered: 02/06/2012)
03/29/2012	<u>9</u>	ANSWER by Defendant Michael J. Astrue. (Humphrey, Richard),(ps) (Entered: 03/29/2012)
03/29/2012	<u>10</u>	Social Security Hearing Transcript by Defendant Michael J. Astrue. Brief in Support due 4/30/2012. Brief in Opposition due 5/29/2012. Brief in Reply due 6/12/2012. (Humphrey, Richard),(ps) (Entered: 03/29/2012)
03/29/2012		Set Deadlines as to <u>10</u> Social Security Hearing Transcript. Plaintiff's Brief in Support due 4/30/2012. Defendant's Brief in Opposition due 5/29/2012. Plaintiff's Brief in Reply due 6/12/2012. (elc),(ps) (Entered: 03/29/2012)
03/30/2012	<u>11</u>	Certificate of Service by Defendant Michael J. Astrue (Humphrey, Richard),(ps) (Entered: 03/30/2012)
04/09/2012	<u>12</u>	Motion for Entry of Default as to Michael J. Astrue by Plaintiff Lianne Rachel Summers. (Attachments: # <u>1</u> Proposed order, # <u>2</u> Certificate of Service, # <u>3</u> Envelope) (jef),(ps) (Entered: 04/09/2012)
04/09/2012	<u>13</u>	Motion for Default Judgment as to Michael J. Astrue by Plaintiff Lianne Rachel Summers. (Attachments: # <u>1</u> Proposed order, # <u>2</u> Certificate of Service) (jef),(ps) Modified text on 4/9/2012 (jef). (Entered: 04/09/2012)

04/09/2012	<u>14</u>	Affidavit of Lianne Summers re: <u>13</u> Motion for Default Judgment. (jef),(ps) (Entered: 04/09/2012)
04/09/2012	<u>15</u>	Affidavit of Lianne Summers re: <u>12</u> Motion for Entry of Default. (jef),(ps) (Main Document 15 replaced on 4/9/2012) (jef). (Entered: 04/09/2012)
04/09/2012	<u>16</u>	Exhibits to <u>1</u> Complaint filed by Lianne Rachel Summers. (Attachments: # <u>1</u> Exhibit X – Medical records, # <u>2</u> Exhibit Z – Psychiatric review technique, # <u>3</u> Certificate of Service) (jef),(ps) (Entered: 04/09/2012)
04/27/2012	<u>17</u>	Brief in Support of <u>10</u> Social Security Hearing Transcript by Plaintiff Lianne Rachel Summers. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (elc),(ps) (Entered: 04/27/2012)
05/30/2012	<u>18</u>	Motion for Extension of Time by Defendant Michael J. Astrue. Motions referred to Magistrate Judge Stephen L. Crocker. (Attachments: # <u>1</u> Certificate of Service) (Humphrey, Richard),(ps) (Entered: 05/30/2012)
05/30/2012	<u>19</u>	Declaration of Carole J. Kohn, Assistant Regional Counsel, for Commissioner of Social Security filed by Defendant Michael J. Astrue re: <u>18</u> MOTION for Extension of Time (Humphrey, Richard),(ps) (Entered: 05/30/2012)
05/30/2012	20	** TEXT ONLY ORDER ** Order GRANTING <u>18</u> Motion for Extension of Time. Defendant's Brief in Opposition due 6/28/2012. Plaintiff's Brief in Reply due 7/13/2012. Signed by Magistrate Judge Stephen L. Crocker on 5/30/12. (elc),(ps) (Entered: 05/30/2012)
06/28/2012	<u>21</u>	Motion to Amend Briefing Schedule <i>to give Plaintiff until July 28, 2012 to supplement her brief on the basis of review of the official transcript and to give Defendant until August 27, 2012, to file Defendant's Response</i> by Defendant Michael J. Astrue. Motions referred to Magistrate Judge Stephen L. Crocker. (Attachments: # <u>1</u> Certificate of Service) (Humphrey, Richard),(ps) (Entered: 06/28/2012)
06/28/2012	22	** TEXT ONLY ORDER ** ORDER granting <u>21</u> Motion to Amend Briefing Schedule. Plaintiff may have until July 27, 2012 to supplement her brief in support. Defendant's Brief in response is due August 27, 2012. Plaintiff's Brief in Reply (if any) is due September 11, 2012. Signed by Magistrate Judge Stephen L. Crocker on 6/28/12. (elc),(ps) (Entered: 06/28/2012)
09/10/2012	<u>23</u>	Brief in Reply re <u>10</u> Social Security Hearing Transcript by Plaintiff Lianne Rachel Summers (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Cover Letter, # <u>3</u> Exhibit Q – Evidence of Lyme's disease, # <u>4</u> Exhibit Y – Psychological evaluation, # <u>5</u> Letter to clerk, # <u>6</u> Letter to Alfonso Manning, Appeals Council, # <u>7</u> Signed statements from Rebecca Herman and Deb Steltenpohl, 1/31/12, # <u>8</u> Fax cover sheet and letter to Appeals Council, 12/6/11, # <u>9</u> SSA confirmation of faxed request for extension of time, 1/23/11, # <u>10</u> Letter from SSA to send more information, 12/18/11, # <u>11</u> Letter from SSA, re: extension of time to file case with district court, 1/23/11, # <u>12</u> Change of address confirmation, 12/5/11, # <u>13</u> U. S. Marshal Service form executed, 1/25/12, # <u>14</u> Order directing service, 1/9/12, # <u>15</u> Complaint dated 1/5/12, # <u>16</u> Notice of Appeals Council Action, 10/13/11, # <u>17</u> Notice of Decision, Decision and List of Exhibits, # <u>18</u> Arguments to the Appeals Council with attached handwritten arguments) (jef),(ps) Modified on 9/21/2012 (llj). (Entered: 09/10/2012)
09/14/2012	<u>24</u>	ORDER that the briefing dates set on June 28, 2012 are STRICKEN. Plaintiff Lianne Summers' brief in reply is construed as a supplement to her original brief in support. The new briefing schedule is as follows: The government shall have until

		October 12, 2012 to submit a brief in response. Plaintiff may have until October 29, 2012 to submit a reply brief. Submission of plaintiff's reply brief is optional. Signed by Magistrate Judge Stephen L. Crocker on 9/12/2012. (jef),(ps) (Entered: 09/14/2012)
09/14/2012		Reset Deadlines as to <u>10</u> Social Security Hearing Transcript. Defendant's Brief in Opposition due 10/12/2012. Plaintiff's optional Brief in Reply due 10/29/2012. (jef),(ps) (Entered: 09/14/2012)
10/15/2012	<u>25</u>	Response by Defendant Michael J. Astrue re: <u>23</u> Supplement, re: <u>10</u> Social Security Hearing Transcript <i>Memorandum in Support of the Commissioner's Decision</i> (Humphrey, Richard),(ps) Modified text and relationship to dkt. 10 on 10/23/2012. (jef). (Entered: 10/15/2012)
10/29/2012	<u>26</u>	Brief in Reply by Plaintiff Lianne Rachel Summers in Support of <u>10</u> Social Security Hearing Transcript (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (elc),(ps) (Entered: 10/29/2012)
07/23/2013	<u>27</u>	ORDER denying <u>12</u> Motion for Entry of Default; denying <u>13</u> Motion for Default Judgment. Signed by District Judge William M. Conley on 7/23/2013. (jef),(ps) (Entered: 07/23/2013)
12/13/2013	<u>28</u>	ORDER that the decision of defendant Carolyn W. Colvin, Acting Commissioner of Social Security, is AFFIRMED, and that plaintiff Lianne Summers' appeal is DISMISSED. The clerk of court is directed to enter judgment in favor of defendant and close this case. Signed by District Judge William M. Conley on 12/13/2013. (jef),(ps) (Entered: 12/13/2013)
12/13/2013	<u>29</u>	JUDGMENT entered in favor of defendant affirming the decision of the Commissioner of Social Security and dismissing the appeal. (PAO/jef). (jef),(ps) (Entered: 12/13/2013)
01/07/2014	<u>30</u>	Motion for Reconsideration re <u>28</u> Order, by Plaintiff Lianne Rachel Summers. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Cover Letter and Envelope) (elc),(ps) (Entered: 01/07/2014)
01/15/2014	<u>31</u>	Affidavit of Lianne Summers filed by Plaintiff Lianne Rachel Summers re: <u>30</u> Motion for Reconsideration (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Certificate of Service, # <u>3</u> Envelope) (jaf),(ps) (Entered: 01/15/2014)
03/12/2014		Set Deadlines as to <u>30</u> Motion for Reconsideration re <u>28</u> Dismissal Order. Defendant's Brief in Opposition due 4/2/2014. There will be no reply. (elc),(ps) (Entered: 03/12/2014)
04/02/2014	<u>32</u>	Brief in Opposition by Defendant Carolyn W. Colvin re: <u>30</u> Motion for Reconsideration filed by Lianne Rachel Summers (Humphrey, Richard),(ps) (Entered: 04/02/2014)
04/08/2014	<u>33</u>	Brief in Opposition by Defendant Carolyn W. Colvin re: <u>30</u> Motion for Reconsideration filed by Lianne Rachel Summers (Herje, Leslie),(ps) (Entered: 04/08/2014)
04/14/2014	<u>34</u>	Notice of Change of Address by Plaintiff Lianne Rachel Summers. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (jef),(ps) (Entered: 04/14/2014)
03/02/2015	<u>35</u>	ORDER denying <u>30</u> Motion for Reconsideration, Signed by District Judge William M. Conley on 3/2/2015. (jef),(ps) (Entered: 03/02/2015)
04/16/2015	<u>36</u>	NOTICE OF APPEAL by Plaintiff Lianne Rachel Summers as to <u>29</u> Judgment, <u>28</u> Dismissal Order, <u>35</u> Order on Motion for Reconsideration. In forma pauperis requested. No Docketing Statement filed. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (jef),(ps) (Entered: 04/16/2015)

04/16/2015	<u>37</u>	Motion for Leave to Proceed in forma pauperis on Appeal by Plaintiff Lianne Rachel Summers. (jef),(ps) (Entered: 04/16/2015)
04/16/2015	<u>38</u>	Appeal Information Packet. (jef),(ps) (Entered: 04/16/2015)