

1
2 UNITED STATES DISTRICT COURT
3 NORTHERN DISTRICT OF CALIFORNIA

4)
5) Case Number: C 15-3851
6)
7 ADAM LEVEQUE)
Plaintiff(s),)

8) JOINT CASE STATUS REPORT &
9) ~~PROPOSED~~ ORDER
10) Date: July 5, 2016
11)
12)

13 vs.

14 CAROLYN COLVIN, Acting Commissioner,)
15 Social Security)
16 Defendant(s).)
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The parties to the above-entitled action jointly submit this JOINT CASE STATUS REPORT & PROPOSED ORDER pursuant to the Standing Order for All Judges of the Northern District of California dated July 1, 2011 and Civil Local Rule 16-9.

1. Jurisdiction & Service

The Court has jurisdiction under 42 USCA § 405(g).

2. Facts

A brief chronology of the facts and a statement of the principal factual issues in dispute

This case, challenging a final Decision of the Social Security Administration denying Plaintiff's claim for disability benefits was filed on August 24, 2015 (Docket Entry No.1). The Court's Standing Procedural Order was entered by Judge Ronald M. Whyte on August 25, 2016. (Docket Entry No.4). On January 16, 2016, the case was reassigned to magistrate Judge Nathaniel Cousins. (Docket Entry No.11). Both parties have consented to magistrate jurisdiction. Defendant filed his answer and the Administrative Record on April 1, 2016. (Docket

1 Entries No.18, 19). Plaintiff's Attorney never received Notice through ECF of Defendant's filing
2 of her Answer and the Administrative Transcript. Plaintiff learned of these matters when
3 contacted by Defendant's Attorney regarding scheduling of a meet and confer conference.
4 Plaintiff's attorney has agreed to expedite this matter. (See No. 17, below.) Plaintiff's attorney
5 has received other communications through the Court's ECF system. It is possible that the error
6 was a result of a catastrophic disk failure experienced by Plaintiff's attorney, who was on Oahu
7 for surgery at the time this Order was entered.

8 4. Motions

9 There are no motions pending in this matter.

10 5. Amendment of Pleadings

11 The parties do not contemplate any further amendment of the Pleadings.

12 6. Evidence Preservation

13 This is an action based on Review of an Administrative Record. The Record as filed by
14 Defendant is complete and no changes to the record are contemplated by the parties.

15 7. Disclosures

16 Not applicable. Civil L. R. 16-5

17 8. Discovery

18 Not applicable. Civil L.R. 16-5

19 9. Class Actions

20 .

21 Not applicable.

22 10. Related Cases

23 None.

24 11. Relief

25 Plaintiff requests payment of Social Security Disability benefits and Supplemental Security
26 income disability payments. Defendant requests affirmance of her final decision.

27 12. Settlement and ADR

28 Not applicable, Civil L.R. 16-5

1 13. Consent to Magistrate Judge For All Purposes

2 Consent to Magistrate Jurisdiction has been made by all parties.

3 14. Other References

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5 Not applicable Civil L.R. 16-5

6 15. Narrowing of Issues

7 None.

8 16. Expedited Trial Procedure

9 Not applicable. L.R. 16-5

10 17. Scheduling

11 Plaintiff shall file his statement of facts separately with his motion for Summary Judgment no
12 later than Friday July 8, 2016. Defendant's response and separate statement of facts will be filed
13 no later than August 6, 2016. Plaintiff will file his Reply Brief by August 16, 2016, at which
14 time the case will be deemed submitted.

15 18. Trial

16 Not applicable Civil L.R. 16-5

17 19. Disclosure of Non-party Interested Entities or Persons

18 Not Applicable. Civil L.R. 16-5

19 20. Professional Conduct

20 All Attorneys have reviewed the Guidelines for Professional Conduct as posted on the Court's
21 website.

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1 21. Other

2 None.

3 Dated: July 5, 2016

/s/ Tom Weathered

TOM WEATHERED

Counsel for plaintiff

Tweathered4@gmail.com

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7
8 BRIAN J. STRETCH,
Acting United States Attorney

9 Dated: July 5, 2016

/s/Richard M. Rodriguez

RICHARD M. RODRIGUEZ

Special Assistant United States Attorney

Attorneys for Defendant

Richard.rodriguez@ssa.gov

CASE MANAGEMENT ORDER

The above JOINT STATUS CONFERENCE STATEMENT & PROPOSED ORDER is approved as the Case Management Order for this case and all parties shall comply with its provisions. [In addition, the Court makes the further orders stated below:]

IT IS SO ORDERED.

Dated: July 5, 2016

