

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 08-cv-01169-AP

TERESA ZIRKELBACH,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

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**JOINT CASE MANAGEMENT PLAN FOR SOCIAL SECURITY CASES**

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**1. APPEARANCES OF COUNSEL AND PRO SE PARTIES**

For Plaintiff:

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For Defendant:

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**2. STATEMENT OF LEGAL BASIS FOR SUBJECT MATTER JURISDICTION**

The Court has jurisdiction based on section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

**3. DATES OF FILING OF RELEVANT PLEADINGS**

**A. Date Complaint Was Filed:** 6/3/08

**B. Date Complaint Was Served on U.S. Attorney's Office:** 12/24/08

**C. Date Answer and Administrative Record Were Filed:** 2/13/09

**4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD**

To the best of their knowledge, the parties state that the record is complete and accurate.

**5. STATEMENT REGARDING ADDITIONAL EVIDENCE**

The parties do not anticipate submitting additional evidence.

**6. STATEMENT REGARDING WHETHER THIS CASE RAISES UNUSUAL CLAIMS OR DEFENSES**

The parties state that this case does not raise unusual claims or defenses.

**7. OTHER MATTERS**

The parties state that there are no other matters.

**8. BRIEFING SCHEDULE**

**A. Plaintiffs Opening Brief Due:** 4/13/09

**B. Defendant's Response Brief Due:** 5/13/09

**C. Plaintiffs Reply Brief (If Any) Due:** 5/28/09

**9. STATEMENTS REGARDING ORAL ARGUMENT**

**A. Plaintiffs Statement:** Plaintiff does not request oral argument

**B. Defendant's Statement:** Defendant does not request oral argument

**10. CONSENT TO EXERCISE OF JURISDICTION BY MAGISTRATE JUDGE**

All parties have not consented to the exercise of jurisdiction of a United States Magistrate Judge.

**11. OTHER MATTERS**

THE PARTIES FILING MOTIONS FOR EXTENSION OF TIME OR CONTINUANCES MUST COMPLY WITH D.C.COLO.LCivR 7.1(C) BY SUBMITTING PROOF THAT A COPY OF THE MOTION HAS BEEN SERVED UPON THE MOVING ATTORNEY'S CLIENT, ALL ATTORNEYS OF RECORD, AND ALL PRO SE PARTIES.

**12. AMENDMENTS TO JOINT CASE MANAGEMENT PLAN**

The parties agree that the Joint Case Management Plan may be altered or amended only upon a showing of good cause.

DATED this 9<sup>th</sup> day of March, 2009.

BY THE COURT:

*S/John L. Kane*  
U.S. DISTRICT COURT JUDGE

APPROVED:

For Plaintiff:

s/Francis K. Culkin  
Francis K. Culkin  
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For Defendant:

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