

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-2176-AP

FELICIA M. PEREZ OBO ASHTON J. MEDINA,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of Social Security,

Defendant.

JOINT CASE MANAGEMENT PLAN FOR SOCIAL SECURITY CASES

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: **October 8, 2008**
- B. Date Complaint Was Served on U.S. Attorney's Office: **October 10, 2008**
- C. Date Answer and Administrative Record Were Filed: **December 18, 2008**

4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD

The administrative record is complete and accurate.

5. STATEMENT REGARDING ADDITIONAL EVIDENCE

There is no additional evidence.

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

This case does not raise unusual claims or defenses.

7. OTHER MATTERS

The parties state to the best of their knowledge that there are no other matters.

8. BRIEFING SCHEDULE

- A. Plaintiff's Opening Brief Due: **February 26, 2009**
- B. Defendant's Response Brief Due: **March 28, 2009**
- C. Plaintiff's Reply Brief Due: **April 13, 2009**

9. STATEMENTS REGARDING ORAL ARGUMENT

- A. Plaintiff does not request oral argument.
- B. 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 BY SUBMITTING PROOF THAT A COPY OF THE MOTION HAS BEEN SERVED UPON 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 11th day of February, 2009.

BY THE COURT:

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

APPROVED:

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| <p><u>s/Larry R. Daves</u> LARRY R. DAVES Colorado Legal Services, Inc.</p> <p>Mailing Address: P.O. Box 1026 La Junta, CO 81050</p> <p>Street Address: 207 ½ Colorado Ave. La Junta, CO 81050</p> <p>719-384-5438 719-384-8676 (facsimile) ldaves@pcisys.net</p> <p>Attorney for Plaintiff</p> | <p>Troy Eid UNITED STATES ATTORNEY</p> <p>Kevin Thomas Traskos Assistant U.S. Attorney kevin.traskos@usdoj.gov</p> <p><u>s/ Stephanie Lynn F. Kiley</u> Stephanie Lynn F. Kiley Special Assistant U.S. Attorney 1961 Stout St., Suite 1001A Denver, CO 80294 Telephone: (303) 844-0815 Fax: (303) 844-0770 stephanie.fishkin.kiley@ssa.gov</p> <p>Attorneys for Defendant</p> |
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