

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02187-AP

LISA A. LAPSLEY,

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 USC 405(g).

3. DATES OF FILING OF RELEVANT PLEADINGS

- A. Date Complaint Was Filed: 10/08/2008
- B. Date Complaint Was Served on U.S. Attorney's Office: 12/02/08
- C. Date Answer and Administrative Record Were Filed: 01/16/08

4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD

The parties state to the best of their knowledge that the record appears to be complete.

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 his case does not involve 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: 03/12/2009

B. Defendant's Response Brief Due: 04/13/2009

C. Plaintiff's Reply Brief Due: 04/28/2009

9. STATEMENTS REGARDING ORAL ARGUMENT

A. Plaintiff requests oral argument.

B. Defendant's Statement: Oral Argument is not requested.

10. CONSENT TO EXERCISE OF JURISDICTION BY MAGISTRATE JUDGE

B. 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 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: February 6, 2009

BY THE COURT:

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

APPROVED:

<p><u>s/ Teresa H. Abbott</u> Teresa H. Abbott Colo. Atty. Reg. # 27192 ABBOTT BOLTZ, LLP 3515 S. Tamarac Drive, Suite 200 Denver, CO 80237 (303) 757-5000 (303) 689-9627 abbott.teresa@gmail.com</p> <p>Of Counsel McDIVITT LAW FIRM 19 E. Cimarron Street Colorado Springs, CO 80903 Telephone: (719) 471-3700 Fax: (719) 471-9782</p> <p>Attorneys for Plaintiff</p>	<p>DAVID M. GAOUILLE Acting United States Attorney</p> <p>Kevin Thomas Traskos Assistant U.S. Attorney kevin.traskos@usdoj.gov</p> <p>Allan Berger Special Assistant U.S. Attorney 1961 Stout St., Suite 1001A Denver, CO 80294 Telephone: (303) 844-2149 Fax: (303) 844-0770 allan.berger@ssa.gov</p> <p>Attorneys for Defendant</p>
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