

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02552-AP

WANDA HARTGRAVES,

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:

PETER KOMLOS-HROBSKY  
Colorado Legal Services  
1905 Sherman Street, Suite 400  
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For Defendant:

DAVID M. GAOUCETTE  
Acting United States Attorney

KEVIN TRASKOS  
Deputy Chief, Civil Division  
District of Colorado

THOMAS H. KRAUS  
Special Assistant U.S. Attorney  
1961 Stout St., Suite 1001A  
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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:** 11/21/08
- B. Date Complaint Was Served on U.S. Attorney's Office:** 12/17/08
- C. Date Answer and Administrative Record Were Filed:** 2/16/09

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

- A. Plaintiff statement:** Plaintiff, to the best of her knowledge, states that the administrative record is complete and accurate.
- B. Defendant statement:** Defendant, to the best of his knowledge, states that the administrative record is complete and accurate.

### **5. STATEMENT REGARDING ADDITIONAL EVIDENCE**

- A. Plaintiff's statement:** Plaintiff does not intend to submit additional evidence.
- B. Defendant's Statement:** Defendant does not intend to submit additional evidence.

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

- A. Plaintiff states:** This case does not raise unusual claims or defenses.
- B. Defendant states:** This case does not raise unusual claims or defenses.

### **7. OTHER MATTERS**

- A. Plaintiff:** Plaintiff has no other matters at this time.
- B. Defendant:** Defendant has no other matters at this time.

### **8. BRIEFING SCHEDULE**

- A. **Plaintiff's Opening Brief Due:** April 13, 2009
- B. **Defendant's Response Brief Due:** May 11, 2009
- C. **Plaintiff's Reply Brief (If Any) Due:** May 29, 2009

**9. STATEMENTS REGARDING ORAL ARGUMENT**

- A. **Plaintiff's Statement:** Plaintiff requests 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: March 5, 2009

BY THE COURT:

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

APPROVED:

<p><u>s/ Peter Komlos-Hrobsky</u> PETER KOMLOS-HROBSKY Colorado Legal Services 1905 Sherman Street, Suite 400 Denver, CO 80203 (303) 866-9391 pkhrobsky@colegalserv.org</p>	<p>DAVID M. GAOUILLE Acting United States Attorney</p> <p>KEVIN TRASKOS Deputy Chief, Civil Division United States Attorney's Office District of Colorado</p> <p><u>s/ Thomas H. Kraus</u> By: THOMAS H. KRAUS Special Assistant U.S. Attorney 1961 Stout St., Suite 1001A Denver, Colorado 80294 (303) 844-0017 tom.kraus@ssa.gov</p> <p>Attorneys for Defendant</p>
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