

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02558-AP

FRANCES RIDER,

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:** November 24, 2008
- B. **Date Complaint Was Served on U.S. Attorney's Office:** December 12, 2008
- C. **Date Answer and Administrative Record Were Filed:** February 9, 2009

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

To the best of their knowledge, both parties state that the record is complete. However, Plaintiff reserves the right to submit additional medical evidence that was not in the record that was before the administrative law judge. Defendant states that the Commissioner will not object to Plaintiff submitting additional evidence with the opening brief, but cannot agree to supplement the certified record with any evidence that was not before the administrative law judge or the Appeals Counsel. The parties agree to address the relevancy of any additional evidence in the briefs.

**5. STATEMENT REGARDING ADDITIONAL EVIDENCE**

See response to No. 4, above.

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

The parties, to the best of their knowledge, do not believe the case raises unusual claims or defenses.

**7. OTHER MATTERS**

The parties have no other matters to bring to the attention of the court.

**8. BRIEFING SCHEDULE**

- A. **Plaintiff's Opening Brief Due:** April 10, 2009.
- B. **Defendant's Response Brief Due:** May 11, 2009.
- C. **Plaintiff's Reply Brief (If Any) Due:** May 26, 2009.

**9. STATEMENTS REGARDING ORAL ARGUMENT**

- A. **Plaintiff's 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

*Indicate below the parties' consent choice.*

- A. ( ) All parties have consented to the exercise of jurisdiction of a United States Magistrate Judge.
- B. ( X ) 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 13, 2009

BY THE COURT:

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

APPROVED:

For Plaintiff:

/Francis Rider  
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For Defendant:

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