

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02766-AP

ROBERT L. HUDSON,

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:

Will Dawson, Esq.
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For Defendant:

DAVID M. GAOUCETTE
Acting United States Attorney

Kevin T. Traskos
Assistant United States Attorney

Thomas Henry Kraus
Special Assistant United States Attorney
Office of the General Counsel
Social Security Administration
1961 Stout Street, 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: **12/19/08.**
- B. Date Complaint Was Served on U.S. Attorney's Office: **12/22/08.**
- C. Date Answer and Administrative Record Were Filed: **02/20/09.**

4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD

The parties, to the best of their knowledge, state that the administrative record is complete and accurate.

5. STATEMENT REGARDING ADDITIONAL EVIDENCE

Neither party intends to submit additional evidence.

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

Counsel for both parties agree to the following proposed briefing schedule:

- A. Plaintiff's Opening Brief Due **April 17, 2009**
- B. Defendant's Response Brief Due **May 18, 2009**
- C. Plaintiff's Reply Brief (If Any) Due **June 6, 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

Indicate below the parties' consent choice.

A.

(X) All parties have consented to the exercise of jurisdiction of a United States 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(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 13th day of March, 2009.

BY THE COURT:

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

APPROVED:

<p><u>s/ Jay Barnes</u></p> <p>Will Dawson, Esq. 2546 15th Street Denver, CO 80211 303-455-0400 E-mail: williamdawson@gmail.com</p> <p>Jay Barnes Myler Disability Law P.O. Box 127 Lehi, Utah 84043 866-770-6497 jayb@mylerdisability.com</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 Kevin.Traskos@usdoj.gov</p> <p>By: <u>s/ Thomas H. Kraus</u> Thomas Henry Kraus Assistant Regional Counsel 1961 Stout Street, Suite 1001A Denver, Colorado 80294 Telephone: (303) 844-0017 tom.kraus@ssa.gov Attorneys for Defendant.</p>
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