

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 08-cv-02774-AP

CANDACE LOU CUNNINGHAM,

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:

Ruth K. Irvin  
Irvin & Irvin  
1443 Spruce Street  
Boulder, CO 80302  
303-543-0337  
[Rkirvin@irvinlaw.net](mailto:Rkirvin@irvinlaw.net)

For Defendant:

DAVID M. GAOUCETTE  
Acting United States Attorney

KEVIN TRASKOS  
Deputy Chief, Civil Division  
United States Attorney's Office  
District of Colorado  
[Kevin.Traskos@usdoj.gov](mailto:Kevin.Traskos@usdoj.gov)

Debra J. Meachum  
Special Assistant United States Attorney  
1961 Stout Street, Suite 1001A  
Denver, Colorado 80294  
(303) 844-1570  
(303) 844-0770 (facsimile)  
[debra.meachum@ssa.gov](mailto:debra.meachum@ssa.gov)

**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:** 12/22/08

**B. Date Complaint Was Served on U.S. Attorney's Office:** 1/2/09

**C. Date Answer and Administrative Record Were Filed:** 3/2/09

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

To the best of their knowledge, the parties state that the record is complete and accurate.

**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 this case does not raise unusual claims or defenses.

**7. OTHER MATTERS**

The parties state that there are no other matters.

**8. BRIEFING SCHEDULE**

**A. Plaintiffs Opening Brief Due:** 4/30/09

**B. Defendant's Response Brief Due:** 6/2/09

**C. Plaintiffs Reply Brief (If Any) Due:** 6/16/09

**9. STATEMENTS REGARDING ORAL ARGUMENT**

**A. Plaintiffs 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**

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 23, 2009

BY THE COURT:

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

APPROVED:

For Plaintiff:

s/Ruth K. Irvin  
Ruth K. Irvin  
Irvin & Irvin  
1443 Spruce Street  
Boulder, CO 80302  
303-543-0337  
[Rkirvin@irvinlaw.net](mailto:Rkirvin@irvinlaw.net)

For Defendant:

DAVID M. GAOUETTE  
Acting United States Attorney

KEVIN TRASKOS  
Deputy Chief, Civil Division  
United States Attorney's Office  
District of Colorado  
[Kevin.Traskos@usdoj.gov](mailto:Kevin.Traskos@usdoj.gov)

s/ Debra J. Meachum  
Debra J. Meachum  
Special Assistant U.S. Attorney  
1961 Stout Street, Suite 1001A  
Denver, Colorado 80294  
(303) 844-1570  
[Debra.meachum@ssa.gov](mailto:Debra.meachum@ssa.gov)