

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00092-AP

KAREN M. DIXON,

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:

DIANE K. BROSS, ESQ.
McDivitt Law Firm
19 E. Cimarron St.
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For Defendant:

DAVID M. GAOUETTE
Acting United States Attorney

KEVIN TRASKOS
Deputy Chief, Civil Division
District of Colorado

THOMAS H. KRAUS
Special Assistant U.S. Attorney
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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:** 1/16/09
- B. Date Complaint Was Served on U.S. Attorney's Office:** 1/22/09
- C. Date Answer and Administrative Record Were Filed:** 3/23/09

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:** 6/30/09
- B. Defendant's Response Brief Due:** 7/31/09
- C. Plaintiff's Reply Brief (If Any) Due:** 8/14/09

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

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: April 27, 2009

BY THE COURT:

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

APPROVED:

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| <p><u>s/ Diane K. Bross</u> DIANE K. BROSS, ESQ. McDivitt Law Firm 19 E. Cimarron St. Colorado Springs, CO 80903 (719) 471-3700 DCraven@mcdivittlaw.com</p> | <p>DAVID M. GAOUETTE 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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