

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

Civil Action No. 09-cv-00974-AP

MICHAEL L. WALKER, II,

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**

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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:** April 28, 2009.
- B. Date Complaint Was Served on U.S. Attorney's Office:** May 6, 2009.
- C. Date Answer and Administrative Record Were Filed:** August 5, 2009.

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

**Plaintiff states:** Although counsel has undertaken a timely review of the record, the accuracy and completeness of the Administrative Record cannot be verified until after the Plaintiff's Opening brief is filed.

**Defendant states:** To the best of his knowledge, the record is complete.

**5. STATEMENT REGARDING ADDITIONAL EVIDENCE**

**Plaintiff states:** See Plaintiff's statement in paragraph 4, above.

**Defendant states:** None anticipated.

**6. STATEMENT REGARDING UNUSUAL CLAIMS OR DEFENSES**

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

**7. OTHER MATTERS**

None.

**8. BRIEFING SCHEDULE**

- A. Plaintiffs Opening Brief Due:** September 30, 2009
- B. Defendant's Response Brief Due:** October 28, 2009.
- C. Plaintiffs Reply Brief (If Any) Due:** November 13, 2009.

**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 this 24<sup>th</sup> day of August, 2009.

BY THE COURT:

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

APPROVED:

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By: \_\_\_\_\_

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