

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

Civil Action No. 09-cv-01096-AP

PEGGY LOPEZ,

Plaintiff,

v.

MICHAEL ASTRUE, COMMISSIONER OF SOCIAL SECURITY,

Defendant.

JOINT CASE MANAGEMENT PLAN FOR SOCIAL SECURITY CASES

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 USC 405(g).

3. DATES OF FILING OF RELEVANT PLEADINGS

- A. Date Complaint Was Filed: 5/11/09**
- B. Date Complaint Was Served on U.S. Attorney's Office: 5/18/09.**
- C. Date Answer and Administrative Record Were Filed: 8/14/09.**

4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD

Plaintiff states: Although Plaintiff's counsel will thoroughly review the Record, the accuracy and completeness of the Administrative Record cannot be ascertained until after Plaintiff's final opening brief is finally drafted and filed.

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

5. STATEMENT REGARDING ADDITIONAL EVIDENCE

Plaintiff states: See paragraph four above.

Defendant states: None anticipated.

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

Plaintiff states: This case involves no unusual claims

Defendant states: This case does not involve unusual claims or defenses.

7. OTHER MATTERS

Plaintiff states: The record appears to be complete, but a final position by Plaintiff cannot be determined until the final draft of her opening brief is filed.

Defendant states: To the best of his knowledge, there are no other matters.

8. BRIEFING SCHEDULE

- A. Plaintiff's Opening Brief Due: 10/20/09**
- B. Defendant's Response Brief Due: 11/19/09**
- C. Plaintiff's Reply Brief Due: 12/3/09**

9. STATEMENTS REGARDING ORAL ARGUMENT

- A. **Plaintiff's Statement:** Oral Argument is requested if only to clarify any outstanding issues, and at the Court's behest.
- B. **Defendant's Statement:** Oral Argument is not requested.

10. CONSENT TO EXERCISE OF JURISDICTION BY MAGISTRATE JUDGE

- 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 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: September 3, 2009

BY THE COURT:

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

APPROVED:

s/Ruth K. Irvin
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