

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01163-AP

NANCY JEAN DURAN,

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:

Michael W. Seckar
402 W.12th Street
Pueblo, CO 81003
719.543.8636
719.543.8403 (fax)
seckarlaw@mindspring.com

For Defendant:

Sandra Krider
Special Assistant United States Attorney
Assistant Regional Counsel
Office of the General Counsel
Social Security Administration
1961 Stout Street, Suite 1001-A
Denver, CO 80294
303.844.0015
303.844.0770 (fax)
sandra.krider@ssa.gov

2. STATEMENT OF LEGAL BASIS FOR SUBJECT MATTER JURISDICTION

This is a Social Security appeal. The Court has jurisdiction pursuant to 42 U.S.C. 405(g).

3. DATES OF FILING OF RELEVANT PLEADINGS

- A. **Date Complaint Was Filed:** May 22, 2009
- B. **Date Complaint was Served on U.S. Attorney's Office:** June 10, 2009
- C. **Date Answer and Administrative Record Were Filed:** August 8, 2009

4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD

It appears the Administrative Record is complete and accurate.

5. STATEMENT REGARDING ADDITIONAL EVIDENCE

The Plaintiff has not submitted nor does he intend to submit any additional evidence.

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

This case does not provide any unusual claims or defenses.

7. OTHER MATTERS

The Plaintiff has no other matters to bring to the attention of the Court.

8. BRIEFING SCHEDULE

- A. **Plaintiff's Opening Brief:** October 5, 2009
- B. **Response Brief due:** November 4, 2009
- C. **Reply Brief due:** November 19, 2009

9. STATEMENTS REGARDING ORAL ARGUMENT

- A. **Plaintiff's Statement:** The Plaintiff does not request oral argument.
- B. **Defendant's Statement:** The Defendant does not request oral argument.

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(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: August 27, 2009

BY THE COURT:

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

APPROVED:

/s Michael W. Seckar

Michael W. Seckar
402 W.12th Street
Pueblo, CO 81003
719.543.8636
719.543.8403 (fax)
seckarlaw@mindspring.com

Attorney for Plaintiff

DAVID M. GAOUETTE
United States Attorney

KEVIN TRASKOS
Deputy Chief, Civil Division
United States Attorney's Office
District of Colorado
Kevin.Traskos@usdoj.gov

/s Sandra T. Krider

Sandra T. Krider
Special Assistant United States Attorney
1961 Stout Street, Suite 1001-A
Denver, CO 80294
303.844.0015
303.844.0770 (fax)
sandra.krider@ssa.gov

Attorneys for Defendant