

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01207-AP

MARK E. WILTING,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of Social Security,

Defendant.

JOINT CASE MANAGEMENT PLAN

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 U.S.C. 405(g).

3. DATES OF FILING OF RELEVANT PLEADINGS

- A. Date Complaint Was Filed: May 26, 2009
- B. Date Complaint Was Served on U.S. Attorney's Office: June 17, 2009
- C. Date Answer and Administrative Record Were Filed: August 18, 2009

4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD

The parties, to the best of their knowledge, state that the administrative record is complete and accurate.

5. STATEMENT REGARDING ADDITIONAL EVIDENCE

At this time, the parties do not know of any additional evidence they intend to submit.

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

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

7. OTHER MATTERS

The parties have no other matters to bring to the attention of the court.

8. BRIEFING SCHEDULE

- A. Plaintiff's Opening Brief Due: October 9, 2009
- B. Defendant's Response Brief Due: November 5, 2009
- C. Plaintiff's Reply Brief (If Any) Due: November 20, 2009

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

Indicate below the parties' consent choice.

- A. (X) All parties have consented to the exercise of jurisdiction of a United States Magistrate Judge.
- B. () All parties have not consented to the exercise of jurisdiction of a United States Magistrate Judge.

11. OTHER MATTERS

Parties filing motions for extension of time or continuances must comply with D.C.Colo.LCivR 7.1(A) by conferring, or making reasonable, good faith efforts to confer, with opposing counsel or *pro se* party before filing the motion.

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 1st day of September, 2009.

BY THE COURT:

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

APPROVED:

For Plaintiff:

s/ K. Machelle Gielarowski (with permission)

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By: **s/ Kristi J. Denney**

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