

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01405-AP

DANIEL VAN SANT,

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:

Allison Tyler
1771 S. 8th St.
Colorado Springs, CO 80905
719.520.5690
719.578.5192 (fax)
allisontyler@earthlink.net

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:** June 16, 2009
- B. **Date Complaint was Served on U.S. Attorney's Office:** June 28, 2009
- C. **Date Answer and Administrative Record Were Filed:** August 27, 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 at this time to submit any additional evidence. Plaintiff has filed a new application for SSI, and that application is still pending at ODAR.

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 parties have no other matters to bring to the attention of the Court.

8. BRIEFING SCHEDULE

- A. **Plaintiff's Opening Brief:** October 26, 2009
- B. **Response Brief due:** November 25, 2009
- C. **Reply Brief due:** December 10, 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 this 10th day of September, 2009

BY THE COURT:

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

APPROVED:

/s Allison Tyler

Allison Tyler
1771 S. 8th St.
Colorado Springs, CO 80905
719.520.5690
719.578.5192 (fax)
allisontyler@earthlink.net

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