

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01863-JLK

VANESSA VIGIL,

Plaintiff,

vs.

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**

For Plaintiff:

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For Defendant:

DAVID M. GAOUETTE  
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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:** August 6, 2009.
- B. Date Complaint Was Served on U.S. Attorney's Office:** September 30, 2009.
- C. Date Answer Was Filed:** December 14, 2009.

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

The record appears to be adequate.

**5. STATEMENT REGARDING ADDITIONAL EVIDENCE**

The parties do not currently intend to submit additional evidence.

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

This case does not appear to present unusual claims or defenses.

**7. OTHER MATTERS**

None at this time

**8. BRIEFING SCHEDULE**

- A. Plaintiff's Opening Brief Due:** February 3, 2010.
- B. Defendant's Response Brief Due:** March 5, 2010.
- C. Plaintiff's Reply Brief Due (if any):** March 19, 2010.

**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**

**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**

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 4<sup>th</sup> day of January, 2010.

BY THE COURT:

**s/John L. Kane**

United States District Court Judge

APPROVED:

For Plaintiff:

s/ Michael A. Desaulniers

Michael A. Desaulniers  
Attorney for Plaintiff

For Defendant:

s/ Anthony J. Navarro

Anthony J. Navarro  
Special Assistant U.S. Attorney  
Attorney for Defendant