

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01916-AP

ROY J. SALAS,

Plaintiff,

v.

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 AND *PRO SE* PARTIES**

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For Defendant:

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**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:** August 12, 2009
- B. **Date Complaint was Served on U.S. Attorney's Office:** August 31, 2009
- C. **Date Answer and Administrative Record Were Filed:** October 28, 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:** January 13, 2010

Due to the intervening holiday season, Plaintiff's counsel requests a due date outside the traditional 40 days. Defendant's counsel does not object to this request.

- B. **Response Brief due:** February 12, 2010
- C. **Reply Brief due:** March 1, 2010

**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 17<sup>th</sup> day of November, 2009

BY THE COURT:

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

APPROVED:

/s Virginia L. Card Smith  
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