

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01955-AP

MILDRED CHAMBLIN,

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:

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For Defendant:

DAVID M. GAOUILLE
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KEVIN TRASKOS
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THOMAS H. KRAUS
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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:** 8/19/09
- B. Date Complaint Was Served on U.S. Attorney's Office:** 09/02/09
- C. Date Answer and Administrative Record Were Filed:** 11/02/09

4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD

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

5. STATEMENT REGARDING ADDITIONAL EVIDENCE

- A. Plaintiff's Statement:** Plaintiff's attorney did not represent Claimant at the Administrative hearing and thus needs to review the extensive record before having a firm position as to whether additional evidence might be available or helpful.
- B. Defendant's Statement:** None anticipated.

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

- A. Plaintiff's Statement:** Plaintiff's attorney did not represent Claimant at the Administrative hearing. However, from brief review of the record, this case does not appear to raise anything out of the ordinary.
- B. Defendant's Statement:** This case does not involve unusually complicated or out-of-the-ordinary claims.

7. OTHER MATTERS

None.

8. BRIEFING SCHEDULE

- A. **Plaintiff's Opening Brief Due:** 12/16/09
- B. **Defendant's Response Brief Due:** 1/15/10
- C. **Plaintiff's Reply Brief (If Any) Due:** 2/5/10

9. STATEMENTS REGARDING ORAL ARGUMENT

- A. **Plaintiff's Statement:** Plaintiff's attorney did not represent Claimant at the Administrative hearing and thus is unable to make a determination as to whether oral argument will be helpful. This matter will be addressed in Plaintiff's Opening Brief.
- B. **Defendant's Statement:** Oral Argument not requested.

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: November 19, 2009

BY THE COURT:

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

APPROVED:

s/ Bruce C. Bernstein
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