

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 09-cv-02018-AP

**DIANE J. MCLEOD**

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

Luke A. Brennan, Esq. #28557  
Griff, Larson, Laiche, Brennan &  
Wright  
422 White Ave., Ste. 323  
Grand Junction, Colorado 81501  
Telephone: (970) 245-8021  
FAX: (970) 245-0590

For Defendant

David M. Gaouette  
United States Attorney  
  
Kevin Traskos  
Deputy Chief, Civil Division  
United States Attorney's Office  
District of Colorado  
1225 Seventeenth Street, Suite 700  
Denver, CO 80202  
Telephone: 303-454-0100  
E-Mail: Kevin.traskos@usdoj.gov

Stephanie Lynn F. Kiley  
Special Assistant United States Attorney  
Assistant Regional Counsel, Region VIII  
Social Security Administration  
1961 Stout Street, Suite 1001A  
Denver, CO 80294  
Telephone: 303-844-0815  
E-Mail: Stephanie.Kiley@ssa.gov

## **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 6, 2009**

**B. Date Complaint was Served on U.S. Attorney's Office: August 28, 2009**

**C. Date Answer and Administrative Record were Filed: November 2, 2009**

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

The administrative record appears complete.

## **5. STATEMENT REGARDING ADDITIONAL EVIDENCE**

Neither party intends to submit additional evidence.

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

The parties do not believe this case raises unusual claims.

## **7. OTHER MATTERS**

There are none.

## **8. BRIEFING SCHEDULE**

**Plaintiff's Opening Brief Due: January 8, 2010**

**Defendant's Response Brief Due: February 8, 2010**

**Plaintiff's Reply Brief Due: February 22, 2010**

## **9. STATEMENTS REGARDING ORAL ARGUMENT**

Neither party requests 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 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 10, 2009

BY THE COURT:

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

**APPROVED:**

s/ Luke A. Brennan  
Luke A. Brennan  
422 White Avenue, Suite 323  
Grand Junction, Colorado 81501  
Telephone: (970) 245-8021  
E-mail: [luke@gllblaw.com](mailto:luke@gllblaw.com)

Attorney for Plaintiff

UNITED STATES ATTORNEY

David M. Gaouette  
United States Attorney

Kevin Traskos  
Deputy Chief, Civil Division  
United States Attorney's Office  
District of Colorado

s/Stephanie Lynn F. Kiley  
Stephanie Lynn F. Kiley  
Special Assistant United States Attorney  
Assistant Regional Counsel, Region VIII  
Social Security Administration  
1961 Stout Street, Suite 1001A  
Denver, CO 80294  
Telephone: 303-844-0815  
E-Mail: [Stephanie.Kiley@ssa.gov](mailto:Stephanie.Kiley@ssa.gov)

Attorneys for Defendant