

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

Civil Action No. 09-cv-02292-AP

RUDY SALAZAR,

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:

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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:** September 10, 2009.
- B. **Date Complaint Was Served on U.S. Attorney's Office:** October 8, 2009.
- C. **Date Answer and Administrative Record Were Filed:** December 7, 2009.

4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD

Plaintiff states: To the best of his knowledge, the record is complete.

Defendant states: To the best of his knowledge, the record is complete.

5. STATEMENT REGARDING ADDITIONAL EVIDENCE

Plaintiff states: None anticipated.

Defendant states: None anticipated.

6. STATEMENT REGARDING UNUSUAL CLAIMS OR DEFENSES

The parties, to the best of their knowledge, do not believe this case raises unusual claims or defenses.

7. OTHER MATTERS

None.

8. BRIEFING SCHEDULE

- A. **Plaintiffs Opening Brief Due:** February 5, 2010.
- B. **Defendant's Response Brief Due:** March 3, 2010.
- C. **Plaintiffs Reply Brief (If Any) Due:** March 18, 2010.

9. STATEMENTS REGARDING ORAL ARGUMENT

- A. **Plaintiffs 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

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 22nd day of December, 2009.

BY THE COURT:

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

APPROVED:

<p><u>s/Kenneth J. Shakeshaft</u> Kenneth J. Shakeshaft 1530 S. Tejon Street Colorado Springs, CO 80905 719-635-5886 office@shakeshaftlawfirm.net Attorney for Plaintiff</p>	<p>DAVID M. GAOUETTE United States Attorney KEVIN TRASKOS Deputy Chief, Civil Division United States Attorney's Office District of Colorado Kevin.Traskos@usdoj.gov</p>
	<p>By: <u>s/Debra J. Meachum</u> DEBRA J. MEACHUM Special Assistant U. S. Attorney Office of the General Counsel Social Security Administration 1961 Stout Street, Suite 1001A Denver, CO 80294 Telephone: (303) 844-1570 Debra.meachum@ssa.gov Attorneys for Defendant.</p>