

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

Civil Action No. 09-cv-02309-AP

KENDALL JACOBSON,  
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**

For Plaintiff:

Robert C. Dawes  
Dawes and Harriss, P.C.  
572 East Third Avenue  
Durango, CO 81301  
970-247-4411  
[rcd@dawesandharriss.com](mailto:rcd@dawesandharriss.com)

For Defendant:

DAVID M. GAOUCETTE  
United States Attorney  
KEVIN TRASKOS  
Deputy Chief, Civil Division  
United States Attorney's Office  
District of Colorado  
Telephone: (303) 454-0184  
[kevin.traskos@usdoj.gov](mailto:kevin.traskos@usdoj.gov)

DEBRA J. MEACHUM  
Special Assistant U. S. Attorney  
[Debra.meachum@ssa.gov](mailto:Debra.meachum@ssa.gov)  
Office of the General Counsel  
Social Security Administration  
1961 Stout Street, Suite 1001A  
Denver, CO 80294  
Telephone: (303) 844-1570

**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:** 9/29/09
- B. Date Complaint Was Served on U.S. Attorney's Office:** 10/13/09
- C. Date Answer and Administrative Record Were Filed:** 12/14/09

**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. PROPOSED BRIEFING SCHEDULE**

- A. Plaintiffs Opening Brief Due:** February 15, 2010.
- B. Defendant's Response Brief Due:** March 25, 2010.
- C. Plaintiffs Reply Brief (If Any) Due:** April 9, 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 4<sup>th</sup> day of January, 2010.

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

APPROVED:

<p><u>s/ Robert C. Dawes</u>  Robert C. Dawes  Dawes and Harriss, P.C.  572 East Third Avenue  Durango, CO 81301  970-247-4411  rcd@dawesandharriss.com</p> <p>Attorney for Plaintiff</p>	<p>DAVID M. GAOUETTE  United States Attorney</p> <p>KEVIN TRASKOS  Deputy Chief, Civil Division  United States Attorney's Office  District of Colorado  <a href="mailto:Kevin.Traskos@usdoj.gov">Kevin.Traskos@usdoj.gov</a></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  <a href="mailto:Debra.meachum@ssa.gov">Debra.meachum@ssa.gov</a>  Attorneys for Defendant.</p>
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