

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02765-AP

ROGER T. DEBEAUX,

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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KEVIN TRASKOS
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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:** 11/25/09
- B. Date Complaint Was Served on U.S. Attorney's Office:** 11/25/09
- C. Date Answer and Administrative Record Were Filed:** 2/25/10

4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD

- A. Plaintiff's statement:** Plaintiff states the record is not complete and will submit medical records from the University of Colorado Hospital with Plaintiff's Opening Brief.
- B. Defendant's statement:** Defendant, to the best of his knowledge, states that the administrative record is complete and accurate.

5. STATEMENT REGARDING ADDITIONAL EVIDENCE

The parties agree that Plaintiff is able to submit medical records from the University of Colorado Hospital with Plaintiff's Opening brief. Plaintiff alleges these records were submitted to the Appeals Council but were not in the administrative record.

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

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:** April 16, 2010
- B. Defendant's Response Brief Due:** May 21, 2010
- C. Plaintiff's Reply Brief (If Any) Due:** June 4, 2010

9. STATEMENTS REGARDING ORAL ARGUMENT

- A. **Plaintiff's Statement:** Oral Argument is not requested.
- B. **Defendant's Statement:** Oral Argument is 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: March 8, 2010

BY THE COURT:

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

APPROVED:

s/ Katherine E. McClure
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Attorney for Plaintiff

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