

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

**Civil Action No. 09-cv-2874-AP**

**ROBERT DEQUINZE,**

**Plaintiff,**

**v.**

**MICHAEL 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:

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For Defendant:

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Attorneys for Defendant

## **2. STATEMENT OF LEGAL BASIS FOR SUBJECT MATTER JURISDICTION**

The Court has jurisdiction based on section 205(g) of the Social Security Act, 42 USC 405(g).

## **3. DATES OF FILING OF RELEVANT PLEADINGS**

- A. Date Complaint Was Filed: 12/10/09.**
- B. Date Complaint Was Served on U.S. Attorney's Office: 12/11/09**
- C. Date Answer and Administrative Record Were Filed: 3/11/10.**

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

**Plaintiff states:** Although Plaintiff's counsel will thoroughly review the Record, the accuracy and completeness of the Administrative Record cannot be ascertained until after Plaintiff's final opening brief is drafted and filed.

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

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

**Plaintiff states:** See paragraph four above.

**Defendant states:** None anticipated.

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

**Plaintiff states:** Defendant was granted an extension in which to Answer to see if an early remand was possible after Defendant's consultation with the Appeals Council.

**Defendant states:** This case does not involve unusual claims or defenses.

## **7. OTHER MATTERS**

**Plaintiff states:** The record appears to be complete, but a final position by Plaintiff cannot be determined until the final draft of his opening brief is filed.

**Defendant states:** The administrative record is complete.

**8. BRIEFING SCHEDULE**

- A. Plaintiff's Opening Brief Due: May 20, 2010**
- B. Defendant's Response Brief Due: June 21, 2010**
- C. Plaintiff's Reply Brief Due: July 6, 2010**

**9. STATEMENTS REGARDING ORAL ARGUMENT**

- A. Plaintiff's Statement:** Oral Argument is requested if only to clarify any outstanding issues, and at the Court's behest.
- 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 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 24<sup>th</sup> day of March, 2010.

BY THE COURT:

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

APPROVED:

<p><u>s/Chris R. Noel</u> CHRIS R. NOEL 3000 Pearl Street, Suite 105 Boulder, Colorado 80301-2431 Telephone: (303) 449 6503 FAX: 720 214 1836 e mail: <a href="mailto:chrisnoel@noelaw.com">chrisnoel@noelaw.com</a> Attorney for Plaintiff Robert DeQuinze</p>	<p>David Gaouette UNITED STATES ATTORNEY</p> <p>Kevin Thomas Traskos Assistant U.S. Attorney <a href="mailto:kevin.traskos@usdoj.gov">kevin.traskos@usdoj.gov</a></p> <p><u>s/Sandra Krider</u> By: Special Assistant U.S. Attorney 1961 Stout St., Suite 1001A Denver, Colorado 80294 Telephone: (303) 844-0015 <a href="mailto:sandra.krider@ssa.gov">sandra.krider@ssa.gov</a></p> <p>Attorneys for Defendant</p>
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