

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No.: 09-cv-02892-AP

MARCY GREENBERG,

Plaintiff,

v.

MICHAEL ASTRUE,  
Commissioner of Social Security,

Defendant.

---

**JOINT CASE MANAGEMENT PLAN FOR SOCIAL SECURITY CASES**

---

**1. APPEARANCES OF COUNSEL AND *PRO SE* PARTIES:**

For Plaintiff:

ANN J. ATKINSON  
Attorney at Law  
7960 S. Ireland Way  
Aurora, CO 80016-1904  
Tele: 303-680-1881  
Fax: 303-680-7891  
[AtkinsonAJ@aol.com](mailto:AtkinsonAJ@aol.com)

For Defendant:

DAVID M. GAOUETTE,  
Acting United States Attorney  
District of Colorado

KEVIN TRASKOS,  
Deputy Chief, Civil Division  
United States Attorney's Office  
District of Colorado  
1225 - 17th St., #700  
Denver, CO 80202  
Tele: 303-844-7278  
Fax: 303-844-0770  
[Kevin.traskos@usdoj.gov](mailto:Kevin.traskos@usdoj.gov)

THOMAS KRAUS,  
Special Assistant U.S. Attorney  
1961 Stout St., #1001A  
Denver, CO 80294

303-844-0017  
[tom.kraus@ssa.gov](mailto:tom.kraus@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:** December 11, 2009

**B. Date Complaint was served on U.S. Attorney's office:** December 18, 2009.

**C. Date Answer and Administrative Record were filed:** March 16, 2010.

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

The Administrative Record appears to be complete.

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

The parties do not anticipate submitting additional evidence.

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

There are no unusual claims or defenses in this case.

## **7. OTHER MATTERS**

There are no other matters to bring to the Court's attention.

## **8. BRIEFING SCHEDULE**

- A. Plaintiff's Opening Brief due: May 5, 2010
- B. Defendant's Response Brief due: June 11, 2010
- C. Plaintiff's Reply Brief (if any) due: June 25, 2010

**9. STATEMENTS REGARDING ORAL ARGUMENT**

**A. Plaintiff's 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**

A. ☐ All parties have consented to the exercise of jurisdiction by a United States Magistrate Judge.

B. ☒ 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 ATTORNEY'S 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 2<sup>nd</sup> day of \_April\_, 2010.

BY THE COURT

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

APPROVED:

/s Ann J. Atkinson  
Ann J. Atkinson, Attorney at Law  
7960 South Ireland Way  
Aurora, CO 80016-1904  
Tele: 303-680-1881  
Fax: 303-680-7891  
Email: [AtkinsonAJ@aol.com](mailto:AtkinsonAJ@aol.com)

UNITED STATES ATTORNEY  
s/Thomas Kraus  
By: Thomas Kraus, Esq.  
Special Assistant U.S. Attorney  
1961 Stout Street, #1001  
Denver, CO 80294  
Tele: 303-844-0017  
Fax: 303-844-0770  
Email: [tom.kraus@ssa.gov](mailto:tom.kraus@ssa.gov)