

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-01426-AP

MILTON E. COSBY,

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:

Milton E. Cosby  
Pro Se Plaintiff  
3620 Race Street  
Denver, CO 80205  
303-551-7701

For Defendant:

DAVID M. GAOUILLE  
United States Attorney

Kevin T. Traskos  
Acting Chief, Civil Division  
United States Attorney's Office

Stephanie Lynn F. Kiley  
Special Assistant United States Attorney  
Office of the General Counsel  
Social Security Administration  
1001 Seventeenth Street  
Denver, CO 80202  
Telephone: (303) 844-0815  
[Stephanie.kiley@ssa.gov](mailto:Stephanie.kiley@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:** June 17, 2010
- B. Date Complaint Was Served on U.S. Attorney's Office:** July 2, 2010
- C. Date Answer and Administrative Record Were Filed:** August 25, 2010

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

The parties, to the best of their knowledge, state that the administrative record is complete and accurate.

**5. STATEMENT REGARDING ADDITIONAL EVIDENCE**

The parties do not anticipate submitting additional evidence.

**6. STATEMENT REGARDING WHETHER THIS CASE RAISES 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**

There are no other matters anticipated.

**8. BRIEFING SCHEDULE**

The parties respectfully respect the following briefing schedule:

- A. Plaintiffs Opening Brief Due:** October 25, 2010
- B. Defendant's Response Brief Due:** November 24, 2010
- C. Plaintiffs Reply Brief (If Any) Due:** December 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 consented to the exercise of jurisdiction of a United States Magistrate Judge.

**11. OTHER MATTERS**

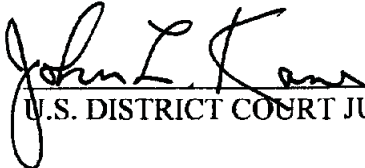
THE PARTIES FILING MOTIONS FOR EXTENSION OF TIME OR CONTINUANCES MUST COMPLY WITH D.C.COLO.LCivR 7.1(C) BY SUBMITTING PROOF THAT A COPY OF THE MOTION HAS BEEN SERVED UPON THE MOVING ATTORNEY'S CLIENT, ALL ATTORNEYS OF RECORD, AND ALL PRO SE PARTIES.

**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 13 day of September, 2010

BY THE COURT:

  
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U.S. DISTRICT COURT JUDGE

APPROVED:

<p><u>s/ Milton E. Cosby</u> Milton E. Cosby Pro Se Plaintiff 3620 Race Street Denver, Colorado 80205 303-551-7701</p>	<p>DAVID M. GAOUILTE United States Attorney</p> <p>KEVIN TRASKOS Acting 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/Stephanie Lynn F. Kiley</u> Stephanie Lynn F. Kiley Special Assistant United States Attorney 1001 Seventeenth Street Denver, Colorado 80202 Telephone: (303) 844-0815 <a href="mailto:Stephanie.Kiley@ssa.gov">Stephanie.Kiley@ssa.gov</a> Attorneys for Defendant.</p>
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