

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-01674-AP

JOSEPH WILSON,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of Social Security,

Defendant.

AMENDED JOINT CASE MANAGEMENT PLAN FOR SOCIAL SECURITY CASES

1. APPEARANCES OF COUNSEL AND *PRO SE* PARTIES

For Plaintiff:

FRANCIS K. CULKIN
3801 East Florida Avenue, Suite 400
Denver, CO 80210
(303) 830-1110
(303) 863-9221 (facsimile)
fculkinesq@aol.com

For Defendant:

JOHN F. WALSH
United States Attorney

KEVIN TRASKOS
Chief, Civil Division
District of Colorado

THOMAS H. KRAUS
Special Assistant U.S. Attorney
1001 17th Street
Denver, CO 80202
(303) 844-0017
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:** 7/14/10
- B. Date Complaint Was Served on U.S. Attorney's Office:** 7/26/10
- C. Date Answer and Administrative Record Were Filed:** 9/28/10

4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD

The administrative record is complete.

5. STATEMENT REGARDING ADDITIONAL EVIDENCE

- A. Plaintiff's statement:** Plaintiff does not intend to submit additional evidence.
- B. Defendant's Statement:** Defendant does not intend to submit additional evidence.

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

- A. Plaintiff states:** This case does not raise unusual claims or defenses.
- B. Defendant states:** This case does not raise unusual claims or defenses.

7. OTHER MATTERS

- A. Plaintiff:** Plaintiff has no other matters at this time.
- B. Defendant:** Defendant has no other matters at this time.

8. BRIEFING SCHEDULE

- A. **Plaintiff's Opening Brief Due:** 12/10/10
- B. **Defendant's Response Brief Due:** 1/14/11
- C. **Plaintiff's Reply Brief (If Any) Due:** 1/31/11

9. STATEMENTS REGARDING ORAL ARGUMENT

- A. **Plaintiff's Statement:** Plaintiff requests 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 1st day of November, 2010.

BY THE COURT:

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

APPROVED:

<p><u>s/ Francis K. Culkin</u> FRANCIS K. CULKIN 3801 East Florida Avenue, Suite 400 Denver, CO 80210 (303) 830-1110 (303) 863-9221 (facsimile) fculkinesq@aol.com</p>	<p>JOHN F. WALSH United States Attorney</p> <p>KEVIN TRASKOS Deputy Chief, Civil Division United States Attorney's Office District of Colorado</p> <p><u>s/ Thomas H. Kraus</u> By: THOMAS H. KRAUS Special Assistant U.S. Attorney 1001 17th Street Denver, Colorado 80202 (303) 844-0017 tom.kraus@ssa.gov</p> <p>Attorneys for Defendant</p>
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