

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No.: 10-cv-01902-AP

TANGIE SABALA o/b/o I.E.S.,

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

For Defendant:

JOHN F. WALSH
United States Attorney
District of Colorado

KEVIN TRASKOS,
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

STEPHANIE LYNN F. KILEY,
Special Assistant U.S. Attorney
1001 17th Street
Denver, CO 80202
Tele: 303-844-0815
Fax: 303-844-0770
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: | August 10, 2010 |
| B. Date Complaint was served on U.S. Attorney's office: | August 16, 2010 |
| C. Date Answer and Administrative Record were filed: | October 15, 2009 |

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. PROPOSED BRIEFING SCHEDULE

The parties respectfully request the following briefing schedule, due to counsel for Defendant's extended absence in the office.

- | | |
|---|-------------------|
| A. Plaintiff's Opening Brief due: | December 29, 2010 |
| B. Defendant's Response Brief due: | January 28, 2011 |
| C. Plaintiff's Reply Brief (if any) due: | February 14, 2011 |

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. (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 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 1st day of November 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

JOHN F. WALSH
United States Attorney

KEVIN TRASKOS
Chief, Civil Division
United States Attorney's Office
District of Colorado
kevin.traskos@usdoj.gov

By: /s/ Stephanie Lynn F. Kiley
Stephanie Lynn F. Kiley, Esq.
Special Assistant U.S. Attorney
1001 17TH Street
Denver, CO 80202
Tele: 303-844-0815
Fax: 303-844-0770
Email: Stephanie.kiley@ssa.gov