

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-02237-AP

GARY ALLEN KEMPER,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of Social Security,

Defendant.

JOINT CASE MANAGEMENT PLAN FOR SOCIAL SECURITY CASES

1. APPEARANCES OF COUNSEL AND *PRO SE* PARTIES

For Plaintiff:

GARY A. KEMPER
Pro Se Plaintiff
4501 Boardwalk B-11
Fort Collins, CO 80525

For Defendant:

JOHN F. WALSH
United States Attorney

WILLIAM PHARO
Assistant United States Attorney
United States Attorney's Office
District of Colorado

THOMAS H. KRAUS
Special Assistant United States Attorney
1001 17th Street
Denver, Colorado 80202
(303) 844-0017
E-mail: 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:** 9/13/10
- B. Date Complaint Was Served on U.S. Attorney's Office:** 9/24/10
- C. Date Answer and Administrative Record Were Filed:** 6/27/11

4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD

There are no issues with the accuracy or completeness of the administrative record.

5. STATEMENT REGARDING ADDITIONAL EVIDENCE

Plaintiff reserves the right to submit additional evidence.

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

This case does not involve unusually complicated or out-of-the-ordinary claims.

7. OTHER MATTERS

None.

8. BRIEFING SCHEDULE

- A. Plaintiff's Opening Brief Due:** 8/12/11
- B. Defendant's Response Brief Due:** 9/12/11
- C. Plaintiff's Reply Brief (If Any) Due:** 9/28/11

9. STATEMENTS REGARDING ORAL ARGUMENT

Neither party requests oral argument.

10. CONSENT TO EXERCISE OF JURISDICTION BY MAGISTRATE JUDGE

Neither party consents 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 15th day of July, 2011.

BY THE COURT:

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

APPROVED:

s/ Gary A. Kemper
GARY A. KEMPER
Pro Se Plaintiff
4501 Boardwalk B-11
Fort Collins, CO 80525

UNITED STATES ATTORNEY

WILLIAM PHARO
Assistant United States Attorney
United States Attorney's Office
District of Colorado

s/ Thomas H. Kraus
THOMAS H. KRAUS
Special Assistant U.S. Attorney
1001 17th Street
Denver, Colorado 80202
Telephone: (303) 844-0017
tom.kraus@ssa.gov

Attorneys for Defendant