

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-02662-AP

TRUDI DIETZ,

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:

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Attorney for Plaintiff

For Defendant:

JOHN F. WALSH
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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:** November 1, 2010
- B. Date Complaint Was Served on U.S. Attorney’s Office:** November 9, 2010
- C. Date Answer and Administrative Record Were Filed:** February 17, 2011

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 request the following briefing schedule:

- A. Plaintiffs Opening Brief Due:** April 22, 2011
- B. Defendant’s Response Brief Due:** May 23, 2011
- C. Plaintiffs Reply Brief (If Any) Due:** June 7, 2011

Additional time is required to file the briefs due to Plaintiff’s counsel’s scheduled vacation in May, 2011 and very heavy workload in April, 2011. The Defendant has no objection to extending the

briefing schedule.

9. STATEMENT REGARDING ORAL ARGUMENT

The parties do not request oral argument.

10. CONSENT TO EXERCISE OF JURISDICTION BY MAGISTRATE JUDGE

Plaintiff does not consent 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 9th day of March, 2011.

BY THE COURT:

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

APPROVED:

<p><u>s/Patrick C.H. Spencer, II</u> Patrick C.H. Spencer, II 830 Tenderfoot Hill Road, Suite 320 Colorado Springs, CO 80906 Telephone: 719-632-4808 FAX: 719-632-4807 E-mail: Patrick@2spencers.com Attorney for Plaintiff</p>	<p>JOHN F. WALSH Acting United States Attorney</p> <p>KEVIN TRASKOS Chief, Civil Division United States Attorney's Office District of Colorado kevin.traskos@usdoj.gov</p> <p>WILLIAM G. PHARO Assistant United States Attorney</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 Stephanie.Kiley@ssa.gov</p> <p>Attorneys for Defendant.</p>
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