

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 10 cv 03053-AP

BARBARA CARRITHERS,

Plaintiff,

v.

MICHAEL ASTRUE,

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:

Chris R. Noel  
3000 Pearl Street, Suite 105  
Boulder, CO 80301  
tel: 303 449 6503  
fax: 720 214 1836

For Defendant:

JOHN F. WALSH  
United States Attorney

KEVIN TRASKOS  
Chief, Civil Division  
United States Attorney's Office  
District of Colorado  
303-454-0184  
[Kevin.traskos@usdoj.gov](mailto:Kevin.traskos@usdoj.gov)

WILLIAM G. PHARO  
Assistant United States Attorney  
[William.Pharo@usdoj.gov](mailto:William.Pharo@usdoj.gov)

STEPHANIE KILEY  
Special Assistant United States Attorney  
1001 Seventeenth Street  
Denver, Colorado 80202  
Telephone: 303-844-0815  
Facsimile: 303-844-0770  
[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:	December 15, 2010
B. Date Complaint Was Served on U.S. Attorney's Office:	December 17, 2010
C. Date Answer and Administrative Record Were Filed:	February 15, 2011

## 4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD

Plaintiff: The record is complete at this time.

Defendant: To the best of her knowledge, counsel for Defendant states that the administrative record is complete and accurate.

## 5. STATEMENT REGARDING ADDITIONAL EVIDENCE

Plaintiff: Evidence of the Appeals Council's extension of time will be filed.

Defendant: To the best of her knowledge, counsel for Defendant states that the administrative record is complete and accurate. Thus, additional evidence is not relevant to the issues in this case.

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

Plaintiff: no unusual claims are presented for judicial review.

Defendant: To the best of her knowledge, counsel for Defendant states that this case does not raise unusual claims or defenses.

## 7. OTHER MATTERS

Plaintiff: Ms. Carrithers has proposed early remand on grounds the ALJ decision contains error on the face of the document.

Defendant: In response to Plaintiff's request for early remand, counsel for Defendant has raised Plaintiff's concerns with her client, Defendant.

## 8. BRIEFING SCHEDULE

A. Plaintiff's Opening Brief Due:	March 7, 2011
B. Defendant's Response Brief Due:	April 7, 2011
C. Plaintiff's Reply Brief (If Any) Due:	April 22, 2011

## 9. STATEMENTS REGARDING ORAL ARGUMENT

Plaintiff: Oral Argument is not requested.

Defendant's Statement: Counsel for Defendant does not request oral argument.

## 10. CONSENT TO EXERCISE OF JURISDICTION BY MAGISTRATE JUDGE

In accordance with D.C.COLO.LCivR 72.2. no magistrate is requested

- A. ( ) All parties have consented to the exercise of jurisdiction of 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

Plaintiff: Ms. Carrithers has requested an early remand of Defendant, but Defendant chose to file his Answer instead.

Defendant: As noted in response to paragraph 7, above, in response to Plaintiff's request for early remand, counsel for Defendant raised Plaintiff's concerns with her client, Defendant. At the time the answer was due, Defendant had not agreed to remand this case.

## 12. AMENDMENTS TO JOINT CASE MANAGEMENT PLAN

Amendments are made only on a showing of good cause.

DATED this 7<sup>th</sup> day of March, 2011.

BY THE COURT:

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

APPROVED:

s/Chris R. Noel

Chris R. Noel

3000 Pearl Street, Suite 105

Boulder, CO 80301

tel: 303 449 6503

fax: 720 214 1836

JOHN F. WALSH

United States Attorney

KEVIN TRASKOS

Chief, Civil Division

United States Attorney's Office

District of Colorado

303-454-0184

[Kevin.traskos@usdoj.gov](mailto:Kevin.traskos@usdoj.gov)

WILLIAM G. PHARO

Assistant United States Attorney

[William.Pharo@usdoj.gov](mailto:William.Pharo@usdoj.gov)

/s/ Stephanie Lynn F. Kiley

STEPHANIE KILEY

Special Assistant United States Attorney

1001 Seventeenth Street

Denver, Colorado 80202

Telephone: 303-844-0815

Facsimile: 303-844-0770

[Stephanie.kiley@ssa.gov](mailto:Stephanie.kiley@ssa.gov)