Lafferty v. Astrue Doc. 16

# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-00640-JLK

SILVANA VITALE LAFFERTY, Plaintiff-Appellant,

v.

MICHAEL J. ASTRUE, Commissioner of Social Security, Defendant-Appellee.

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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:

Robert K. Gruber, #9413 3500 South Wadsworth Blvd., Suite 215 Lakewood, Colorado 80235-2382 Telephone (303) 986-6400 FAX (303) 986-6800 E-mail: bobgruber@earthlink.net Attorney for Plaintiff-Appellant

#### For Defendant:

JOHN F. WALSH United States Attorney

KEVIN TRASKOS Chief, Civil Division Assistant United States Attorney District of Colorado

WILLIAM G. PHARO
Assistant United States Attorney
District of Colorado

Michael Howard Special Assistant United States Attorney Assistant Regional Counsel, SSA 1001 17th Street Denver, Colorado 80202 (303) 844-7192 Michael.howard@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:** March 14, 2011
- B. Date Complaint Was Served on U.S. Attorney's Office: March 17, 2011
- C. Date Answer and Administrative Record Were Filed: May 16, 2011

## 4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD

The Administrative Records appears to be 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

There are no unusual claims or defenses in this case.

#### 7. OTHER MATTERS

There are no other matters.

## 8. PROPOSED BRIEFING SCHEDULE

- A. Plaintiffs Opening Brief Due: July 18, 2011
- **B. Defendant's Response Brief Due:** August 17, 2011
- C. Plaintiffs Reply Brief (If Any) Due: September 1, 2011

#### 9. STATEMENTS REGARDING ORAL ARGUMENT

#### A. Plaintiffs 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

All parties have 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 3d day of June, 2011.

BY THE COURT:

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

# APPROVED: For Plaintiff:

## s/ Robert K. Gruber

Robert K. Gruber 3500 South Wadsworth Blvd., Suite 215 Lakewood, Colorado 80235-2382 Telephone (303) 986-6400 FAX (303) 986-6800 E-mail: bobgruber@earthlink.net Attorney for Plaintiff-Appellant

## For Defendant:

JOHN F. WALSH United States Attorney

KEVIN TRASKOS Chief, Civil Division Assistant United States Attorney District of Colorado

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## s/ Michael Howard

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Attorneys for Defendant