

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-02507-AP

DIXIE BORN,

Plaintiff,

v.

KATHLEEN SEBELIUS,
Secretary of the United States
Department of Health &
Human Services,

Defendant.

JOINT CASE MANAGEMENT PLAN FOR SOCIAL SECURITY CASES

1. APPEARANCES OF COUNSEL AND PRO SE PARTIES

For Plaintiff:

TERESA H. ABBOTT
Law Office of Teresa Abbott, P.C.
3515 South Tamarac Drive, Suite 200
Telephone (303) 757-5000
Facsimile (303) 689-9627
E-mail: abbott.teresa@gmail.com

For Defendant:

JOHN F. WALSH
United States Attorney
WILLIAM G. PHARO
United States Attorney's Office
1225 17th Street, Suite 700
Denver, CO 80202
Telephone: (303) 454-0184
Facsimile: (303) 454-0400
Email: william.pharo@usdoj.gov

2. STATEMENT OF LEGAL BASIS FOR SUBJECT MATTER JURISDICTION

The Court has jurisdiction based on section 205(g) and/or section 1869(b) of the Social Security Act, 42 U.S.C. § 405(g), § 1395ff(b).

3. DATES OF FILING OF RELEVANT PLEADINGS

- A. Date Complaint Was Filed: 09/22/2011
- B. Date Complaint Was Served on U.S. Attorney's Office: 12/26/2011
- C. Date Answer and Administrative Record Were Filed: 01/27/2012

4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD

The parties state that the Administrative Record appears to be complete and accurate.

5. STATEMENT REGARDING ADDITIONAL EVIDENCE

The parties do not anticipate additional evidence.

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

The parties state that this case presents no unusual claims or defenses.

7. OTHER MATTERS

There are no other matters.

8. BRIEFING SCHEDULE

- A. Plaintiff's Opening Brief Due: 05/21/2012
- B. Defendant's Response Brief Due: 06/21/2012
- C. Plaintiffs Reply Brief (If Any) Due: 07/06/2012

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 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

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 27th day of April, 2012.

BY THE COURT:

s/John L. Kane

U.S. DISTRICT COURT JUDGE

APPROVED:

For Plaintiff:

TERESA H. ABBOTT
Law Office of Teresa Abbott, P.C.
3515 South Tamarac Drive, Suite 200
Telephone (303) 757-5000
Facsimile (303) 689-9627
E-mail: abbott.teresa@gmail.com

For Defendant:

JOHN F. WALSH
United States Attorney
WILLIAM G. PHARO
United States Attorney's Office
1225 17th Street, Suite 700
Denver, CO 80202
Telephone: (303) 454-0184
Facsimile: (303) 454-0400
E-mail: william.pharo@usdoj.gov