

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:11-cv-03323-AP

LEAH M. McCREERY,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

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**

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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:** December 19, 2011

**B. Date Complaint Was Served on U.S. Attorney's Office:** January 26, 2012

**C. Date Answer and Administrative Record Were Filed:** March 26, 2012

**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. However, the Plaintiff reserves the right to supplement the record if necessary at the time of the Opening Brief.

**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**

Counsel for both parties agree to the following proposed briefing schedule:

- A. Plaintiffs Opening Brief Due:** May 29, 2012
- B. Defendant's Response Brief Due:** June 28, 2012
- C. Plaintiffs Reply Brief (If Any) Due:** July 13, 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**

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 6<sup>th</sup> day of April, 2012.

BY THE COURT:

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

APPROVED:

<p>s/ <u>Michael W. Seckar</u> 402 W. 12th Street Pueblo, CO 81003 (719) 543-8636 E-mail: <a href="mailto:seckarlaw@mindspring.com">seckarlaw@mindspring.com</a> Attorney for Plaintiff</p>	<p>JOHN F. WALSH United States Attorney WILLIAM G. PHARO Assistant United States Attorney United States Attorney's Office District of Colorado <a href="mailto:William.Pharo@usdoj.gov">William.Pharo@usdoj.gov</a></p> <p>By: s/<u>David Blower</u> David Blower Special Assistant United States Attorney 1001 Seventeenth Street Denver, Colorado 80202 Telephone: (303) 844-1571 <a href="mailto:david.blower@ssa.gov">david.blower@ssa.gov</a> Attorneys for Defendant.</p>
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