

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

Civil Action No. 12-cv-00593-AP

THERESA R. LONGMORE,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of Social Security,

Plaintiff.

JOINT CASE MANAGEMENT PLAN FOR SOCIAL SECURITY CASES

1. APPEARANCES OF COUNSEL

For Plaintiff:

Alan M. Agee, P.C.
ALAN M. AGEE, Esq.
512 S. 8th Street
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For Defendant:

JOHN F. WALSH
United States Attorney

WILLIAM G. PHARO
Assistant United States Attorney
United States Attorney's Office
District of Colorado

Debra J. Meachum
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Denver, Colorado 80202
Telephone: (303) 844-1570
debra.meachum@ssa.gov

Attorneys for Defendant

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: 3/8/12.
- B. Date Complaint Was Served on U.S. Attorney's Office: 3/15/11.
- C. Date Answer and Administrative Record Were Filed: 5/14/12.

4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD

Plaintiff's counsel, who did not represent Plaintiff at the administrative level, intends to file a motion to supplement the record with speech therapy records from Memorial Hospital. Plaintiff's counsel states, to his knowledge, that the administrative record is otherwise complete.

Defendant's counsel states, to the best of her knowledge, that the administrative record is complete. Defendant's counsel will respond to Plaintiff's motion to supplement the record, when filed, as she cannot agree to supplement the record with evidence that was not before the agency when the final administrative decision was issued in this case.

5. STATEMENT REGARDING ADDITIONAL EVIDENCE

Plaintiff's counsel did not represent the Plaintiff at the administrative level and will determine during the briefing schedule if new evidence will be submitted.

Defendant's counsel states that she does not intend to submit additional evidence.

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

The parties, to the best of their knowledge, do not believe the case raises unusual claims or defenses.

7. OTHER MATTERS

The parties have no other matters to bring to the attention of the court.

8. BRIEFING SCHEDULE

- A. Plaintiff's Opening Brief Due: 7/13/12
- B. Defendant's Response Brief Due: 8/13/12
- C. Plaintiff's Reply Brief (If Any) Due: 8/28/12

9. STATEMENTS REGARDING ORAL ARGUMENT

- A. Plaintiff's Statement: Plaintiff requests 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 5th day of June, 2012.

BY THE COURT:

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

APPROVED:

For Plaintiff:

s/Alan M. Agee

Alan M. Agee, P.C.

ALAN M. AGEE, Esq.

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For Defendant:

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