

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-922-AP

Juan Enriquez Santillan

Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

---

**JOINT CASE MANAGEMENT PLAN FOR SOCIAL SECURITY CASES**

---

**1. APPEARANCES OF COUNSEL AND PRO SE PARTIES**

For Plaintiff:

Benjamin T. Kennedy, Esq.  
Sawaya, Rose, McClure & Wilhite, P.C.  
1600 Odgen Street  
Denver, CO 80218  
Telephone (303) 551-7701  
E-mail: [bkennedy@sawayalaw.com](mailto:bkennedy@sawayalaw.com)

Katie McClure, Esq.  
Sawaya, Rose, McClure & Wilhite, P.C.  
1600 Ogden Street  
Denver, CO 80218  
Telephone (303) 551-7701  
E-mail: [kmcclure@sawayalaw.com](mailto:kmcclure@sawayalaw.com)

For Defendant:

JOHN F. WALSH  
United States Attorney

WILLIAM G. PHARO  
United States Attorney  
United States Attorney's Office  
District Office of Colorado  
William.Pharo@usdoj.gov

ALEXESS D. REA  
Special Assistant U.S. Attorney  
Office of the General Counsel  
Social Security Administration, Region VIII  
1001 17<sup>th</sup> Street  
Denver, CO 80202  
Telephone: (303) 844-7101  
E-Mail: [alexess.rea@ssa.gov](mailto:alexess.rea@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:** April 6, 2012
- B. Date Complaint Was Served on U.S. Attorney's Office:** April 12, 2012
- C. Date Answer and Administrative Record Were Filed:** June 8, 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**

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

- A. Plaintiff's Opening Brief Due:** July 31, 2012
- B. Defendant's Response Brief Due:** August 31, 2012
- C. Plaintiff's Reply Brief (If Any) Due:** September 14, 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 26<sup>th</sup> day of June, 2012.

BY THE COURT:

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

APPROVED:

<p><u>s/Benjamin T. Kennedy</u> Sawaya, Rose, McClure &amp; Wilhite, P.C. 1600 Odgen Street Denver, CO 80218 Telephone (303) 551-7701 E-mail: <a href="mailto:bkennedy@sawayalaw.com">bkennedy@sawayalaw.com</a></p> <p><u>s/Katie McClure</u> Sawaya, Rose, McClure &amp; Wilhite, P.C. 1600 Ogden Street Denver, CO 80218 Telephone (303) 551-7701 E-mail: <a href="mailto:kmcclure@sawayalaw.com">kmcclure@sawayalaw.com</a></p> <p>Attorneys for the Plaintiff</p>	<p>JOHN F. WALSH United States Attorney</p> <p>WILLIAM G. PHARO 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: <u>s/Alexess D. Rea</u> Alexess D. Rea Special Assistant U.S. Attorney Office of the General Counsel Social Security Administration, Region VIII 1001 17<sup>th</sup> Street Denver, CO 80202 Telephone: (303) 844-7101 E-mail: <a href="mailto:Alexess.rea@ssa.gov">Alexess.rea@ssa.gov</a></p> <p>Attorneys for Defendant.</p>
--	--