

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

Civil Action No. 12-cv-01178-AP

RAYMOND A. WARING,

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**

For Plaintiff:

Patrick C.H. Spencer, II  
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For Defendant:

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**2. STATEMENT OF LEGAL BASIS FOR SUBJECT MATTER JURISDICTION**

The Court has jurisdiction under § 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:** 5/7/12

**B. Date Complaint Was Served on U.S. Attorney's Office:** 5/21/12

**C. Date Answer and Administrative Record Were Filed:** 7/20/12

**4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD**

To the best of his knowledge, Plaintiff states that the record is complete and accurate.

To the best of his knowledge, Defendant states that the record is 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**

The parties state that this case does not raise unusual claims or defenses.

**7. OTHER MATTERS**

The parties state that there are no other matters.

**8. BRIEFING SCHEDULE**

The parties agreed to the following schedule:<sup>1</sup>

**A. Plaintiffs Opening Brief Due:** 09/24/12

**B. Defendant's Response Brief Due:** 10/24/12

**C. Plaintiffs Reply Brief (If Any) Due:** 11/08/12

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<sup>1</sup>The parties agreed to adjust the briefing schedule to accommodate conflicts on Plaintiff's counsel's calendar regarding the Reply Brief. Specifically, Plaintiff's counsel is out of the office from October 13, 2012 until October 25, 2012. Additionally, Plaintiff's counsel is scheduled for oral argument regarding another case on November 1, 2012.

**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 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 14<sup>th</sup> day of August 2012.

BY THE COURT:

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

APPROVED:

For Plaintiff:

s/ Patrick C.H. Spencer, II  
Patrick C.H. Spencer, II  
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For Defendant:

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United States Attorney

KEVIN TRASKOS  
Chief, Civil Division  
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District of Colorado  
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