

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:12-cv-01192-AP

DANIEL A. ARAGON,

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:

Michael W. Seckar, Esq.
402 W. 12th Street
Avondale, CO 81022
Pueblo, CO 81003
(719) 543-8636
(719) 543-8403 (fax)
seckarlaw@mindspring.com

For Defendant:

Jessica Milano
Special Assistant United States Attorney
Assistant Regional Counsel
Office of the General Counsel
Social Security Administration
1001 17th Street
Denver, CO 80202
(303) 844-7136
(303) 844-0770 (fax)
jessica.milano@ssa.gov

2. STATEMENT OF LEGAL BASIS FOR SUBJECT MATTER JURISDICTION

This is an appeal of a Social Security benefits application. The Court has jurisdiction pursuant to 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: May 8, 2012
- B. Date Complaint was Served on U.S. Attorney's Office: June 27, 2012
- C. Date Answer and Administrative Record Were Filed: August 27, 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.

5. STATEMENT REGARDING ADDITIONAL EVIDENCE

Neither party intends 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 this case raises any unusual claims or defenses.

7. OTHER MATTERS

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

8. BRIEFING SCHEDULE

Counsel for both parties conferred and agreed upon the following proposed briefing schedule:

- A. Plaintiff's Opening Brief: October 29, 2012
- B. Response Brief due: November 28, 2012
- C. Reply Brief due: December 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

- 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 20th day of September, 2012.

BY THE COURT:

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

APPROVED:

s/ Jessica Milano for

Michael W. Seckar, Esq.
402 W. 12th Street
Avondale, CO 81022
Pueblo, CO 81003
(719) 543-8636
(719) 543-8403 (fax)
seckarlaw@mindspring.com

Attorney for Plaintiff

(SIGNED PER ELECTRONIC
AUTHORIZATION)

JOHN F. WALSH
United States Attorney

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

s/ Jessica Milano

Jessica Milano
Special Assistant United States Attorney
1001 17th Street
Denver, CO 80202
(303) 844-7136
(303) 844-0770 (fax)
jessica.milano@ssa.gov

Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on September 17, 2012, I electronically filed the foregoing “Joint Case Management Plan for Social Security Cases” with the with the Clerk of Court using the CM/ECMF system which will send notification of such filing to Plaintiff’s counsel at the following e-mail address(es):

seckarlaw@mindspring.com

s/ Jessica Milano _____

Office of the General Counsel
Social Security Administration