

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-01279-AP

TERRY W. PACHECO,

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:

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For Defendant:

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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:** May 15, 2012
- B. Date Complaint Was Served on U.S. Attorney's Office:** May 29, 2012
- C. Date Answer and Administrative Record Were Filed:** July 25, 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**

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:** September 24, 2012
- B. Defendant's Response Brief Due:** October 24, 2012

**C. Plaintiffs Reply Brief (If Any) Due:** November 8, 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 9<sup>th</sup> day of August, 2012.

BY THE COURT:

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

APPROVED:

<p>s/ <u>Brandon M. Selinsky</u> Brandon M. Selinsky Law Offices of Binder &amp; Binder 770 The City Drive South, Suite 2000 Orange, CA 92868-3504 Phone (714) 564-8640 Fax (714) 940-0311 <a href="mailto:bselinsky@gmail.com">bselinsky@gmail.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 Facsimile: (303) 844-0770 <a href="mailto:david.blower@ssa.gov">david.blower@ssa.gov</a> Attorneys for Defendant.</p>
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