

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No.: **12-cv-1365-AP**

JESSICA SABRINA MARJERRISON,

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:

Frederick W. Newall #10269, Esq.
730 N. Weber, #101
Colorado Springs, CO 80903
Telephone (719) 633-5211
newallfrederick@qwestoffice.net

For Defendant:

JOHN WALSH
Acting United States Attorney

WILLIAM GEORGE PHARO
U.S. Attorney's Office-Denver
1225 17th Street E., Ste. 700
Denver, CO 80202
Telephone: (303) 454-0100
william.pharo@usdoj.gov

STEPHANIE L. FISHKIN-KILEY
Special Assistant U. S. Attorney
Assistant Regional Counsel
Office of the General Counsel
Social Security Administration
1961 Stout Street, Suite 1001A
Denver, CO 80294
Telephone: (303) 844-0815
stephanie.fishkin.kiley@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: May 25, 2012.

B. Date Complaint Was Served on U.S. Attorney's Office: June 11, 2012.

C. Date Answer and Administrative Record Were Filed: August 18, 2012.

4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD

Plaintiff states: Although counsel has undertaken a timely review of the record, the accuracy and completeness of the Administrative Record cannot be verified until after the Plaintiff's Opening brief is filed.

Defendant states: There are no issues with the accuracy or completeness of the Administrative Record.

5. STATEMENT REGARDING ADDITIONAL EVIDENCE

Plaintiff states: See Plaintiff's statement in paragraph 4, above.

Defendant states: None anticipated.

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

None.

8. BRIEFING SCHEDULE

Plaintiff's attorney, because of workload, namely Regina Anderson v. Apfel, due October 11, 2012, requests that briefing commence 45 days after this joint case management plan was due. Counsel for both parties conferred and agreed upon the following proposed briefing schedule:

- A. **Plaintiffs Opening Brief Due:** October 19, 2012.
- B. **Defendant's Response Brief Due:** November 19, 2012.
- C. **Plaintiffs Reply Brief (If Any) Due:** December 3, 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 7th day of September, 2012.

BY THE COURT:

s/John L. Kane

THE HONORABLE JOHN L. KANE
U.S. DISTRICT COURT JUDGE

APPROVED:

<p><u>s/Frederick W. Newall</u> FREDERICK W. NEWALL 730 N. Weber, #101 Colorado Springs, CO 80903 (719) 633-5211 newallfrederick@qwestoffice.net</p> <p>Attorney for Plaintiff</p>	<p>JOHN WALSH Acting United States Attorney</p> <p>WILLIAM GEORGE PHARO U.S. Attorney's Office-Denver 1225 17th Street E., Ste. 700 Denver, CO 80202 Telephone: (303) 454-0100 william.pharo@usdoj.gov</p> <p>By: <u>s/Stephanie Lynn F. Kiley</u> STEPHANIE LYNN F. KILEY Special Assistant United States Attorney 1961 Stout Street, Suite 1001A Denver, Colorado 80294 Telephone: (303) 844-0815 Stephanie.kiley@ssa.gov</p> <p>Attorneys for Defendant.</p>
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