

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

Civil Action No. 12-cv-01478-AP

CELIA GARCIA DENUNEZ,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

DEFENDANT'S JOINT CASE MANAGEMENT PLAN

Defendant, Commissioner of Social Security ("Commissioner"), hereby submits this proposed joint case management plan. Pursuant to D.C. COLO. L. CIV. R. 7.1(A), on October 15, 2012, the undersigned counsel for the Commissioner made reasonable, good faith efforts to confer with Plaintiff's counsel as to this matter by email and a voice message, but was unable to reach her.

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: June 6, 2012

B. Date Complaint Was Served on U.S. Attorney's Office: July 25, 2012

C. Date Answer and Administrative Record Were Filed: September 25, 2012

4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD

At this time, the Administrative Record appears to be complete and accurate; the parties will fully ascertain the completeness of the record upon the drafting and completion of their respective briefs.

5. STATEMENT REGARDING ADDITIONAL EVIDENCE

Defendant does not anticipate submitting additional evidence.

6. STATEMENT REGARDING WHETHER THIS CASE RAISES UNUSUAL CLAIMS OR DEFENSES

Defendant does not foresee offering any unusual claims or defenses in this case.

7. OTHER MATTERS

Defendant is not aware of any other matters at this time.

8. BRIEFING SCHEDULE

Defendant proposes the following briefing schedule:

A. Plaintiff's Opening Brief Due: November 26, 2012

B. Defendant's Response Brief Due: December 27, 2012

C. Plaintiffs Reply Brief (If Any) Due: January 11, 2013

9. STATEMENTS REGARDING ORAL ARGUMENT

A. Plaintiff's Statement:

Plaintiff _____ 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. 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

Defendant agrees that the Joint Case Management Plan may be altered or amended only upon a showing of good cause.

DATED this 16th day of October, 2012.

BY THE COURT:

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

APPROVED:

For Plaintiff:

s/
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