

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-01766-AP

ANDY E. CROSS,

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:

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For Defendant:

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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: **July 9, 2012**
- B. Date Complaint was Served on U.S. Attorney's Office: **July 12, 2012**
- C. Date Answer and Administrative Record Were Filed: **September 11, 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. See paragraph 5 below.

5. STATEMENT REGARDING ADDITIONAL EVIDENCE

Neither party intends to submit additional evidence, (unless upon review of the record during the briefing schedule it is determined that there are records missing from the administrative record that have previously been received by the Agency).

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: **November 13, 2012**
- B. Response Brief due: **December 13, 2012**
- C. Reply Brief due: **December 28, 2012**

9. STATEMENTS REGARDING ORAL ARGUMENT

- A. Plaintiff's Statement: **Plaintiff requests 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 1st day of October, 2012.

BY THE COURT:

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

APPROVED:

s/ Jessica Milano for

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(SIGNED PER ELECTRONIC
AUTHORIZATION)

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s/ Jessica Milano

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Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on October 1, 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 the following e-mail address(es):

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s/ Jessica Milano

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