

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-01816-AP

JUNE SAIZ,

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:

Michael A. Desaulniers, Esq.  
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Pueblo, CO 81003  
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For Defendant:

Jessica Milano  
Special Assistant United States Attorney  
Assistant Regional Counsel  
Office of the General Counsel  
Social Security Administration  
1001 17th Street  
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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 12, 2012**
- B. Date Complaint was Served on U.S. Attorney's Office: **August 28, 2012**
- C. Date Answer and Administrative Record Were Filed: **October 26, 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: **December 26, 2012**
- B. Response Brief due: **January 25, 2013**
- C. Reply Brief due: **February 11, 2013**

**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 16<sup>th</sup> day of November, 2012

BY THE COURT:

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

APPROVED:

*s/ Jessica Milano for*

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Attorney for Plaintiff

(SIGNED PER ELECTRONIC  
AUTHORIZATION)

JOHN F. WALSH  
United States Attorney

J. BENEDICT GARCÍA  
Assistant United States Attorney  
United States Attorney's Office  
District of Colorado

*s/ Jessica Milano*

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Attorneys for Defendant

**CERTIFICATE OF SERVICE**

I hereby certify that on November 15, 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):

seckarlaw@mindspring.com (Michael A. Desaulniers, Esq., Plaintiff’s counsel)  
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*s/ Jessica Milano*  
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Office of the General Counsel  
Social Security Administration