

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:12-cv-1890-AP

ADAM K. SUTHERLAND,

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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Social Security Administration
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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: July 20, 2012

B. Date Complaint Was Served on U.S. Attorney's Office: July 23, 2012

C. Date Answer and Administrative Record Were Filed: September 21, 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:** November 19, 2012
- B. Defendant's Response Brief Due:** December 19, 2012
- C. Plaintiffs Reply Brief (If Any) Due:** January 3, 2013

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 10th day of October, 2012.

BY THE COURT:

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

APPROVED:

<p>s/ <u>Benjamin T. Kennedy</u> Katherine McClure Benjamin T. Kennedy Sawaya, Rose, Kaplan, & McClure, P.C. 1600 Odgen Street Denver, CO 80218 Telephone (303) 551-7701 kmclure@sawayalaw.com bkennedy@sawayalaw.com Attorney for Plaintiff</p>	<p>JOHN F. WALSH United States Attorney District of Colorado</p> <p>J. BENEDICT GARCÍA Assistant United States Attorney J.B.Garcia@usdoj.gov</p> <p>By: <u>s/David Blower</u> David Blower Special Assistant United States Attorney 1001 Seventeenth Street Denver, Colorado 80202 Telephone (303) 844-1571 david.blower@ssa.gov Attorneys for Defendant.</p>
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