

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

Civil Action No. 12-cv-02125-AP

JULIUS JONES,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

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**JOINT CASE MANAGEMENT PLAN FOR SOCIAL SECURITY CASE**

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Defendant hereby files this joint case management plan (JCMP) on behalf of the parties, and requests that it be accepted out of time. The JCMP was due to be filed on November 13, 2012. Agency counsel drafted a proposed JCMP and sent it to Plaintiff's counsel via email for review on November 9, 2012, stating that she would file the JCMP by November 13, 2012, once Plaintiff's counsel approved the proposed JCMP. However, agency counsel was out of the office unexpectedly almost the entire week of November 13, 2012, due to a personal tragedy. Therefore, Defendant requests that the Court accept this JCMP to be filed out of time.

## 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:** August 13, 2012
- B. **Date Complaint Was Served on U.S. Attorney's Office:** August 21, 2012
- C. **Date Answer and Administrative Record Were Filed:** October 22, 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:** December 24, 2012
- B. Defendant's Response Brief Due:** January 23, 2013
- C. Plaintiffs Reply Brief (If Any):** February 7, 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.  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 19th day of November, 2012.

BY THE COURT:

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

APPROVED:

For Plaintiff:

*s/ Joseph A. Whitcomb*  
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For Defendant:

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