

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-02508-AP

Louis Apodaca,
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:

Paul Radosevich, Esq.
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John F. Walsh
United States Attorney

J.B. García
Assistant United States Attorney
District of Colorado

For Defendant:

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Special Assistant United States Attorney
Office of the General Counsel
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:** September 21, 2012
- B. Date Complaint Was Served on U.S. Attorney's Office:** September 24, 2012
- C. Date Answer and Administrative Record Were Filed:** November 19, 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 the cases raises unusual claims or defenses.

7. OTHER MATTERS

The parties have no other matters to bring to the attention of the Court.

8. BRIEFING SCHEDULE

- A. Plaintiff's Opening Brief Due:** January 14, 2013
- B. Defendant's Reply Brief (If Any) Due:** February 13, 2013
- C. Plaintiff's Reply Brief (If Any) Due:** February 28, 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

Indicate below the parties' consent choice.

- 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. AMENDMENTS TO JOINT CASE MANAGEMENT PLAN

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.

The parties agree that the Joint Case Management Plan may be altered or amended only upon a showing of good cause.

DATED this 30th day of November, 2012.

BY THE COURT:

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

John F. Walsh
UNITED STATES ATTORNEY

APPROVED:

/s/ Paul Radosevich
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/s/ Stephanie Lynn F. Kiley
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