

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

Civil Action No. 1:12-cv-02870-AP

ROXANNE RYAN,

Plaintiff,

v.

CAROLYN W. COLVIN,<sup>1</sup>  
Acting 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:

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For Defendant:

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<sup>1</sup> Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin should be substituted for Michael J. Astrue as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

**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:** October 31, 2012
- B. Date Complaint Was Served on U.S. Attorney's Office:** December 19, 2012
- C. Date Answer and Administrative Record Were Filed:** February 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**

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.

With regard to prior judicial involvement, the parties note that this matter is not a matter on remand from this or any other court.

**8. BRIEFING SCHEDULE**

- A. Plaintiff's Opening Brief Due:** April 15, 2013
- B. Defendant's Response Brief Due:** May 15, 2013
- C. Plaintiff's Reply Brief (If Any) Due:** May 30, 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**

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 5<sup>th</sup> day of March, 2013.

BY THE COURT:

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

APPROVED:

<p><u>/s/Ann J. Atkinson</u> Ann J. Atkinson 7960 S. Ireland Way Aurora, CO 80016 Telephone: (303) 680-1881 atkinsonaj@aol.com</p> <p>Attorney for Plaintiff</p>	<p>JOHN F. WALSH United States Attorney J. BENEDICT GARCÍA Assistant United States Attorney United States Attorney’s Office District of Colorado j.b.garcia@usdoj.gov</p> <p>By: <u>/s/ M. Thayne Warner</u> M. Thayne Warner Special Assistant United States Attorney 1001 Seventeenth Street Denver, Colorado 80202 Telephone: (303) 844-7237 thayne.warner@ssa.gov</p> <p>Attorneys for Defendant</p>
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