

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

Civil Action No. 1:12-cv-02960-AP

ROSS LUCERO,

Plaintiff,

v.

MICHAEL ASTRUE,  
COMMISSIONER OF THE  
SOCIAL SECURITY ADMINISTRATION,

Defendant.

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**JOINT CASE MANAGEMENT PLAN**

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**1. APPEARANCES OF COUNSEL AND PRO SE PARTIES**

For Plaintiff:

Christopher R. Alger  
McDivitt Law Firm  
1401 17<sup>th</sup> Street, Suite 300  
Denver, CO 80202  
Telephone: (303) 426-4878  
calger@mcdivittlaw.com

For Defendant:

Alexess D. Rea  
Special Assistant United States Attorney  
Assistant Regional Counsel  
Office of the General Counsel  
Social Security Administration  
1001 Seventeenth Street  
Denver, CO 80202  
Telephone: (303) 844-7101  
Alexess.rea@ssa.gov

**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: November 11, 2012

B. Date Complaint Was Served on U.S. Attorney's Office: November 13, 2012

C. Date Answer and Administrative Record Were Filed: January 18, 2013

**4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD**

The record is complete and accurate. The parties reserve the right to correct the record in the event it proves to be incomplete.

**5. STATEMENT REGARDING ADDITIONAL EVIDENCE**

The parties do not anticipate the need for additional evidence.

**6. STATEMENT REGARDING WHETHER THIS CASE RAISES UNUSUAL CLAIMS OR DEFENSES OTHER MATTERS**

This case raises no unusual claims or defenses.

**7. BRIEFING SCHEDULE**

A. Plaintiff's Opening Brief Due: March 29, 2013

B. Defendant's Response Brief Due: April 28, 2013

C. Plaintiff's Reply Brief Due: May 13, 2013

**8. STATEMENTS REGARDING ORAL ARGUMENT**

The parties do not request oral argument.

**9. CONSENT TO EXERCISE OF JURISDICTION BY MAGISTRATE JUDGE**

All parties have not consented to the exercise of jurisdiction by a Magistrate Judge.

**10. 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 14<sup>th</sup> day of February, 2013

BY THE COURT:

s/ John L. Kane  
UNITED STATES DISTRICT JUDGE

APPROVED:

ATTORNEY FOR THE PLAINTIFF:

s/ Christopher R. Alger  
Christopher R. Alger  
McDivitt Law Firm  
1401 17<sup>th</sup> Street, Suite 300  
Denver, CO 80202  
Telephone: (303) 426-4878  
calger@mcdivittlaw.com

UNITED STATES ATTORNEY:

s/ Alexess D. Rea  
Alexess D. Rea  
Special Assistant United States Attorney  
Assistant Regional Counsel  
Office of the General Counsel  
Social Security Administration  
1001 Seventeenth Street  
Denver, CO 80202  
Telephone: (303) 844-7101  
Alexess.rea@ssa.gov