

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-02978-AP

MARIA L. GALLEGOS

Plaintiff,

v.

CAROLYN W. COLVIN, Acting Commissioner of Social Security,<sup>1</sup>  
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:  
Michael W. Seckar  
402 W. 12<sup>th</sup> Street  
Pueblo, CO 81003

For Defendant:  
John F. Walsh  
United States Attorney

J. Benedict García  
Assistant United States Attorney  
United States Attorney's Office  
J.B.Garcia@usdoj.gov

Daniel E. Burrows  
Special Assistant United States Attorney  
1001 17<sup>th</sup> Street  
Denver, Colorado 80202  
303-844-7356  
[Daniel.burrows@ssa.gov](mailto:Daniel.burrows@ssa.gov)

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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: 11/13/12**
  
- B. Date Complaint Was Served on U.S. Attorney's Office: 1/8/13**
  
- C. Date Answer and Administrative Record Were Filed: 2/28/13**

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

To the best of his knowledge, Plaintiff states that the record is complete and accurate.

To the best of her knowledge, Defendant states that the 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 state that this case does not raise unusual claims or defenses.

## **7. OTHER MATTERS**

This case is *not* on appeal from a decision issued on remand. The parties state that there are no other matters to bring to the attention of the Court.

## **8. BRIEFING SCHEDULE**

- A. Plaintiff's Opening Brief Due: 4/30/13**
  
- B. Defendant's Response Brief Due: 5/30/13**
  
- C. Plaintiff's Reply Brief (If Any) Due: 6/14/13**

**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 21<sup>st</sup> day of March, 2013.

BY THE COURT:

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

APPROVED:

*s/ Michael W. Seckar*

402 W. 12<sup>th</sup> Street

Pueblo, CO 81003

719-543-8636

719-543-8403 (facsimile)

seckarlaw@mindspring.com

Attorneys for Plaintiff

John F. Walsh

United States Attorney

*By: s/ Daniel E. Burrows*

Special Assistant U.S. Attorney

1001 17th Street

Denver, CO 80202

303-844-7356

Daniel.burrows@ssa.gov

Of Counsel:

John Jay Lee

Regional Chief Counsel

1001 17th Street

Denver, CO 80202