

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:12-cv-03027-AP

Kenneth Kaighn,

Plaintiff,

v.

Carolyn Colvin, Acting Commissioner of Social Security¹

Defendant.

JOINT CASE MANAGEMENT PLAN FOR SOCIAL SECURITY CASES

1. APPEARANCES OF COUNSEL AND *PRO SE* PARTIES

For Plaintiff:

Gail C. Harriss
450 S. Camino del Rio, Suite 201
Durango, CO 81301
970-247-4411
gharriss@harrislaw.com

For Defendant:

John F. Walsh
United States Attorney

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

Stephanie Lynn F. Kiley
Special Assistant United States Attorney
Office of the General Counsel
Social Security Administration
1001 Seventeenth Street
Denver, Colorado 80202
(303) 844-0815
stephanie.kiley@ssa.gov

¹Carolyn 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: November 16, 2012**
- B. Date Complaint Was Served on U.S. Attorney's Office: December 10, 2012**
- C. Date Answer and Administrative Record Were Filed: February 5, 2013**

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 case 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

Due to Defendant's counsel's caseload, the parties request a briefing schedule outside of the standard time frame.

- 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

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 26th day of February, 2013.

BY THE COURT:

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

APPROVED:

s/Gail C. Harriss
Gail C. Harriss
450 S. Camino del Rio, Suite 201
Durango, CO 81301
970-247-4411
gharriss@harrisslaw.com

UNITED STATES ATTORNEY

/s/ Stephanie Lynn F. Kiley
By: Stephanie Lynn F. Kiley
Special Assistant U.S. Attorney
1001 17th Street, 6th Floor
Denver, CO 80202
303-844-0815
stephanie.kiley@ssa.gov