

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-03059-AP

Jamie N. Ruth,

Plaintiff,

v.

Michael Astrue, Commissioner of Social Security,

Defendant.

JOINT CASE MANAGEMENT PLAN

1. APPEARANCES OF COUNSEL AND PRO SE PARTIES

For Plaintiff:

Patrick C.H. Spencer, II
830 Tenderfoot Hill Road, Suite 320
Colorado Springs, CO 80906
719-632-4808
719-632-4807 (facsimile)
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For Defendant:

Special Assistant United States Attorney

Mailing Address:

1961 Stout Street, Suite 1001A
Denver, Colorado 80294

Street Address:

1225 Seventeenth Street, Suite 700
Denver, Colorado 80202
(303) 454-0100
(303) 454-0404 (facsimile)

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 20, 2012.

B. Date Complaint Was Served on U.S. Attorney's Office: November 30, 2012.

C. Date Answer and Administrative Record Were Filed: January 19, 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

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.

8. BRIEFING SCHEDULE

- A. Plaintiff's Opening Brief Due: March 21, 2013
- B. Defendant's Response Brief Due: April 22, 2013
- C. Plaintiff's Reply Brief (If Any) Due: May 7, 2013

9. STATEMENTS REGARDING ORAL ARGUMENT

The parties do 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. All parties have not consented to the exercise of jurisdiction of a United States Magistrate Judge.

Plaintiff does not consent 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: February 26, 2013.

BY THE COURT:

S/John L. Kane

U.S. DISTRICT COURT JUDGE

APPROVED:

UNITED STATES ATTORNEY

By: Patrick C.H. Spencer, II

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Attorney(s) for Plaintiff(s)

By: Special Assistant U.S. Attorney

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Attorney for Defendant(s)

Please affix counsel's signatures and any pro se party's signatures before submission of the proposed Joint Case Management Plan to the court.