

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.

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**JOINT CASE MANAGEMENT PLAN**

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

For Plaintiff:

Patrick C.H. Spencer II  
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Colorado Springs, CO 80906  
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For Defendant:

Jessica Milano  
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Street Address:

1225 Seventeenth Street, Suite 700  
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## **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**

- A. Plaintiff's Statement: The Plaintiff does not request oral argument.
- B. Defendant's Statement: The 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.  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 agree that the Joint Case Management Plan may be altered or amended only upon a showing of good cause.

DATED: February 27, 2013.

BY THE COURT:

*s/John L. Kane*

U.S. DISTRICT COURT JUDGE

APPROVED:

UNITED STATES ATTORNEY

s/ Patrick C.H. Spencer II

s/ Jessica Milano

By: Patrick C.H. Spencer, II

By: Special Assistant U.S. Attorney

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