

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-03066-AP

Marlana Martinez,

Plaintiff,

v.

Michael J. Astrue,
Commissioner of Social Security
Defendant.

JOINT CASE MANAGEMENT PLAN FOR SOCIAL SECURITY CASES

1. APPEARANCES OF COUNSEL AND *PRO SE* PARTIES

For Plaintiff:

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For Defendant:

John F. Walsh
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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: December 17, 2012**
- C. Date Answer and Administrative Record Were Filed: February 14, 2013**

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 his knowledge, Defendant states that the record is complete and accurate.

5. STATEMENT REGARDING ADDITIONAL EVIDENCE

The parties do not anticipate any additional evidence.

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

The parties state that this case does not appear to raise unusual claims or defenses.

7. OTHER MATTERS

The parties state that they are not aware of any other matters.

8. BRIEFING SCHEDULE

- A. Plaintiff's Opening Brief Due: April 26, 2013**
- B. Defendant's Response Brief Due: May 27, 2013**
- C. Plaintiff's Reply Brief (If Any) Due: June 10, 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.

The briefing schedule is requested to be filed beyond the forty days due to an Opening Brief due in the James K. Thomas v. Carolyn W. Colvin, 12-cv-03096-AP all on 04-16-13. Also, Reply Brief is due 04-21-13 in Benjamin W. Swan v. Michael J. Astrue, 12-cv-2529-AP. Plaintiff asks for Opening Brief to be due on 04-26-13 instead of 04-15-13.

DATED this 7th day of March, 2013.

BY THE COURT:

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

APPROVED:

John F. Walsh
United States Attorney

s/ Frederick W. Newall
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