

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-03178-AP

SHERRY THIELEMIER,

Plaintiff,

v.

MICHAEL J. ASTRUE,

Defendant.

JOINT CASE MANAGEMENT PLAN FOR SOCIAL SECURITY CASES

1. APPEARANCES OF COUNSEL AND *PRO SE* PARTIES

For Plaintiff:

Joseph A. Whitcomb, Esq.
Attorney for Plaintiff
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For Defendant:

John F. Walsh
United States Attorney

J. Benedict García
Assistant United States Attorney
United States Attorney's Office
District of Colorado

Michael Howard
Special Assistant United States Attorney

Office of the General Counsel
Social Security Administration
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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: December 5, 2012**
- B. Date Complaint Was Served on U.S. Attorney's Office: January 24, 2013**
- C. Date Answer and Administrative Record Were Filed: March 22, 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. Notwithstanding, the parties would reserve objections regarding the adequacy of the record for the parties' respective briefs on the merits of the case.

5. STATEMENT REGARDING ADDITIONAL EVIDENCE

The parties do not intend 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. This case was not previously remanded by the Court.

8. PBRIEFING SCHEDULE

- A. Plaintiff's Opening Brief Due: May 21, 2013**

- B. Defendant's Response Brief Due: June 20, 2013
- C. Plaintiff's Reply Brief (If Any) Due: July 5, 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. 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 10th day of April, 2013.

BY THE COURT:

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

APPROVED:

UNITED STATES ATTORNEY

s/

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s/ Michael S. Howard

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