

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 13-cv-00529-AP

DAVID C. ARAGON,

Plaintiff,

v.

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

JOINT CASE MANAGEMENT PLAN FOR SOCIAL SECURITY CASES

1. APPEARANCES OF COUNSEL AND PRO SE PARTIES

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For Defendant:

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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:** February 28, 2013
- B. **Date Complaint Was Served on U.S. Attorney's Office:** April 3, 2013
- C. **Date Answer and Administrative Record Were Filed:** May 6, 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. However, the Plaintiff reserves the right to supplement the record if necessary at the time of the Opening Brief.

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. Plaintiff's current claim does not involve any prior judicial proceedings.

8. BRIEFING SCHEDULE

Attorneys for both parties agree to the following proposed briefing schedule:

- A. Plaintiff's Opening Brief Due:** June 25, 2013
- B. Defendant's Response Brief Due:** July 25, 2013
- C. Plaintiff's Reply Brief (If Any) Due:** August 9, 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

All parties have not consented 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 this 20th day of May, 2013.

BY THE COURT:

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

APPROVED:

<p><u>s/Katie McClure</u> Sawaya, Rose, McClure & Wilhite, P.C. 1600 Ogden Street Denver, CO 80218 Telephone (303) 551-7701 E-mail: kmcclure@sawayalaw.com</p> <p>Attorney for the Plaintiff</p>	<p>JOHN F. WALSH United States Attorney</p> <p><u>s/M. Thayne Warner</u> Special Assistant Assistant Regional Counsel Office of the General Counsel Social Security Administration 1001 Seventeenth Street Denver, CO 90202 (303) 844-7237 thayne.warner@ssa.gov</p> <p><u>s/J. Benedict Garcia</u> J. Benedict Garcia Assistant United States Attorney 1225 Seventeenth Street, Suite 700 Denver, Colorado 80202 (303) 454-0100 E-mail: JGarcia@usa.doj.gov</p> <p>Attorneys for Defendant.</p>
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