

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:13-cv-00842-AP

Dorene Babb

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

For Plaintiff:

Joseph A. Whitcomb
Rocky Mountain Disability Group
1391 Speer Blvd., Suite 705
Denver, CO 80204
(303) 534-1954
(303) 534-1949
joe@RMDLG.com

For Defendant:

John F. Walsh
United States Attorney

J. Benedict García
Assistant United States Attorney
United States Attorney's Office
District of Colorado
J.B.Garcia@usdoj.gov

Alexess D. Rea
Special Assistant United States Attorney
1961 Stout, Suite 4169
Denver, Colorado 80294-4003
303-844-7101
303-844-0770 (facsimile)
Alexess.rea@ssa.gov

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:** April 2, 2013
- B. **Date Complaint Was Served on U.S. Attorney's Office:** August 19, 2013
- C. **Date Answer and Administrative Record Were Filed:** October 23, 2013

4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD

The parties state that, to the best of their knowledge, 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 are not aware of any other matters.

8. BRIEFING SCHEDULE

- A. **Plaintiff's Opening Brief Due:** December 23, 2013
- B. **Defendant's Response Brief Due:** January 22, 2014
- C. **Plaintiff's Reply Brief (If Any) Due:** February 6, 2014

9. STATEMENTS REGARDING ORAL ARGUMENT

- A. **Plaintiff's Statement:** Plaintiff does/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.

DATED this 13th day of November 2013.

BY THE COURT:

s/John L. Kane

U.S. DISTRICT COURT JUDGE

APPROVED:

John F. Walsh
United States Attorney

s/ Joseph A. Whitcomb

Joseph A. Whitcomb
Rocky Mountain Disability Group
1391 Speer, Suite 705
Denver, CO 80204
(303) 534-1958
(303) 534-1949 (facsimile)
joe@RMDLG.com

Attorney for Plaintiff

By: *s/ Alexess D. Rea*

Alexess D. Rea
Special Assistant U.S. Attorney
1961 Stout St., Suite 4169
Denver, CO 80294-4003
(303) 844-7101
(303) 844-0770 (facsimile)
alexess.rea@ssa.gov

Attorneys for Defendant