

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-1319-AP

MELISSA RUSS,

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:

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For Defendant:

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United States Attorney

James L. Burgess
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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:** May 20, 2013
- B. **Date Complaint Was Served on U.S. Attorney's Office:** May 29, 2013
- C. **Date Answer and Administrative Record Were Filed:** July 29, 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. 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:** September 30, 2013
- B. **Defendant's Response Brief Due:** October 30, 2013
- C. **Plaintiff's Reply Brief (If Any) Due:** November 14, 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. 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 20th day of August, 2013.

BY THE COURT:

s/John L. Kane

U.S. DISTRICT COURT JUDGE

APPROVED:

JOHN F. WALSH
UNITED STATES ATTORNEY

J. Benedict García
Assistant United States Attorney

s/ Joseph A. Whitcomb
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