

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. No. 13-cv-01631-AP

MICHAEL C. KLIPFEL,

Plaintiff,

v.

CAROLYN 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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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: June 26, 2013

B. Date Complaint Was Served on U.S. Attorney's Office: August 8, 2013

C. Date Answer and Administrative Record Were Filed: September 30, 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 her knowledge, Defendant states that the 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 state that this case does not raise unusual claims or defenses.

7. OTHER MATTERS

This case is *not* an appeal from a decision issued on remand. The parties have no other matters to bring to the attention of the Court.

8. BRIEFING SCHEDULE

Defendant has requested an amended briefing schedule due to having four response briefs due in this Court on January 2, 2014, as well as a Ninth Circuit Appellate Brief on January 17, 2014, and the proximity of the deadline to the holidays, including 10 days of prescheduled holiday leave for defense counsel.

The parties agreed to the following schedule:

A. Plaintiff's Opening Brief Due: January 6, 2014

B. Defendant's Response Brief Due: February 5, 2014

C. Plaintiff's Reply Brief (If Any) Due: February 20, 2014

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.

DATED this 21st day of October, 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
United States Attorney's Office
District of Colorado

s/ Michael W. Seckar

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