IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-02052-AP

CHAMBRE D. REED,

Plaintiff,

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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:

Frederick W. Newall #10269 Attorney for Plaintiff 730 N. Weber, #101 Colorado Springs, CO 80903 (719) 633-5211 fnewall@qwestoffice.net

For Defendant: John F. Walsh United States Attorney

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

Allan D. Berger Special Assistant United States Attorney Denver, Colorado 80202 303-844-2149 303-844-0770 (facsimile) <u>Allan.berger@ssa.gov</u>

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: August 1, 2013
- B. Date Complaint Was Served on U.S. Attorney's Office: August 6, 2013
- C. Date Answer and Administrative Record Were Filed: September 30, 2013

4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD

To the best of her 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

The parties state that there are no other matters.

8. BRIEFING SCHEDULE

- A. Plaintiff's Opening Brief Due: December 12, 2013
- B. Defendant's Response Brief Due: January13, 2014
- C. Plaintiff's Reply Brief (If Any) Due: January 28, 2014

A brief continuance in scheduling of 10 days is requested due to Plaintiff counsel's conflict with the Bellon case's opening brief due on December 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. (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 <u>MOVING ATTORNEY'S CLIENT</u>, 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 22nd day of October, 2013.

BY THE COURT:

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

APPROVED:

<u>s/ Frederick W. Newell</u> 730 N. Weber, #101 Colorado Springs, CO 80903 719-633-5211 719-635-6503 (facsimile) fnewall@qwestoffice.net Attorney for Plaintiff

UNITED STATES ATTORNEY

John F. Walsh United States Attorney

By: <u>s/Allan D. Berger</u> Special Assistant U.S. Attorney 1001 17th Street Denver, CO 80202 303-844-2149 303-844-0770 (facsimile) Allan.berger@ssa.gov Attorneys for Defendant