

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:13-cv-02315-AP

DIANA I. ANDERSON,

Plaintiff,

v.

CAROLYN W. COLVIN,  
Acting Commissioner of Social Security,

Defendant.

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**JOINT CASE MANAGEMENT PLAN FOR SOCIAL SECURITY CASES**

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**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 parties do not dispute that 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 28, 2013**
  
- B. Date Complaint Was Served on U.S. Attorney's Office: August 29, 2013**
  
- C. Date Answer and Administrative Record Were Filed: December 3, 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**

This case involves an unusually complicated claim. Specifically, this case involves a claim that the ALJ erred in determining Plaintiff's disability ceased in September 2002 because her condition had medically improved. This portion of the case involves a section of the Listings that was deleted in 1999, i.e., between the time Plaintiff was first awarded benefits and September 2002. In addition, this case involves a claim that the ALJ erred in determining Plaintiff was not disabled prior to March 23, 2009, when the Commissioner found Plaintiff was disabled.

**7. OTHER MATTERS**

The case is on appeal from a decision issued on remand from the Tenth Circuit and this Court:

Anderson v. Astrue, No. 09-1149 (10th Cir., Aug. 25, 2009)

Anderson v. Astrue, No. 07-cv-1877-RPM (D.Colo. Feb. 10, 2011).

**8. BRIEFING SCHEDULE**

- A. Plaintiff's Opening Brief Due: February 3, 2014
- B. Defendant's Response Brief Due: March 3, 2014
- C. Plaintiff's Reply Brief (If Any) Due: March 18, 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 23rd day of December, 2013.

BY THE COURT:

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

APPROVED:

s/ Frederick W. Newall  
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