

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-02429-AP

BRENDA ROBBINS,

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, ESQ.  
1391 Speer Blvd., Suite 705  
Denver, CO 80204  
Telephone: (303) 534-1954  
E-Mail: 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

THOMAS H. KRAUS  
Special Assistant United States Attorney  
Social Security Administration, Region VIII  
Office of the General Counsel  
1961 Stout St., Ste. 4169  
Denver, CO 80294-4003  
Telephone: (303) 844-0017  
tom.kraus@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:** 9/6/13
- B. Date Complaint Was Served on U.S. Attorney's Office:** 12/31/13
- C. Date Answer and Administrative Record Were Filed:** 3/3/14

### **4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD**

There are no issues with the accuracy or completeness of the administrative record.

### **5. STATEMENT REGARDING ADDITIONAL EVIDENCE**

- A. Plaintiff's Statement:** None anticipated.
- B. Defendant's Statement:** None anticipated.

### **6. STATEMENT REGARDING WHETHER THIS CASE RAISES UNUSUAL CLAIMS OR DEFENSES**

This case does not involve unusually complicated or out-of-the-ordinary claims.

### **7. OTHER MATTERS**

None.

### **8. BRIEFING SCHEDULE**

- A. Plaintiff's Opening Brief Due:** 5/19/14
- B. Defendant's Response Brief Due:** 6/18/14
- C. Plaintiff's Reply Brief (If Any) Due:** 7/3/14

### **9. STATEMENTS REGARDING ORAL ARGUMENT**

- A. Plaintiff's Statement:** Oral Argument is not requested.
- B. Defendant's Statement:** Oral Argument is not requested.

**10. CONSENT TO EXERCISE OF JURISDICTION BY MAGISTRATE JUDGE**

- 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. OTHER MATTERS**

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.

**12. AMENDMENTS TO JOINT CASE MANAGEMENT PLAN**

*The parties agree that the Joint Case Management Plan may be altered or amended only upon a showing of good cause.*

DATED this 24<sup>th</sup> day of March, 2014.

BY THE COURT:

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

APPROVED:

s/ Joseph A. Whitcomb, Esq.  
JOSEPH A. WHITCOMB, ESQ.  
Rocky Mountain Disability Law Group  
1391 Speer Blvd., Suite 705  
Denver, CO 80204  
Telephone: (303) 534-1954  
Fax: (303) 534-1949  
E-Mail: joe@RMDLG.com

Attorney for Plaintiff

JOHN F. WALSH  
UNITED STATES ATTORNEY

J. BENEDICT GARCÍA  
Assistant United States Attorney  
United States Attorney's Office  
District of Colorado

s/ Thomas H. Kraus  
By: THOMAS H. KRAUS  
Special Assistant U.S. Attorney  
Social Security Administration, Region VIII  
Office of the General Counsel  
1961 Stout St., Ste. 4169  
Denver, CO 80294-4003  
Telephone: (303) 844-0017  
tom.kraus@ssa.gov

Attorneys for Defendant