

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 13-cv-02440-AP

JESSE HOLLOWAY,

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**

For Plaintiff:

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For Defendant:

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James Burgess  
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J. BENEDICT GARCIA  
Assistant United States Attorney  
District of Colorado  
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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:** September 6, 2013
- B. Date Complaint Was Served on U.S. Attorney's Office:** September 23, 2013
- C. Date Answer and Administrative Record Were Filed:** November 7, 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:** January 3, 2014
- B. Defendant's Response Brief Due:** February 3, 2014
- C. Plaintiff's Reply Brief (If Any) Due:** February 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**

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 26<sup>th</sup> day of November, 2013.

BY THE COURT:

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

APPROVED:

<p><u>s/Kristina J. Vasold</u> Sawaya, Rose, McClure &amp; Wilhite, P.C. 1600 Ogden Street Denver, CO 80218 Telephone (303) 551-7701 E-mail: kvasold@sawayalaw.com</p> <p>Attorney for the Plaintiff</p>	<p>JOHN F. WALSH United States Attorney</p> <p><u>s/James Burgess</u> Special Assistant U.S. Attorney Assistant Regional Counsel Office of the General Counsel Social Security Administration 1961 Stout Street, Ste. 4169 Denver, CO 80294-4003 (303) 844-1856 James.burgess@ssa.gov</p> <p>J. Benedict Garcia Assistant United States Attorney 1225 Seventeenth Street, Suite 700 Denver, Colorado 80202 (303) 454-0100 E-mail: J.B.Garcia@usdoj.gov</p> <p>Attorneys for Defendant.</p>
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