

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:13-cv-02454-AP

Eugene M. Soto,

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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John F. Walsh  
United States Attorney

J.B. García  
Assistant United States Attorney  
District of Colorado

For Defendant:

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Special Assistant United States Attorney  
Office of the General Counsel  
Social Security Administration  
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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 9, 2013**
- B. Date Complaint Was Served on U.S. Attorney's Office: December 30, 2013**
- C. Date Answer and Administrative Record Were Filed: February 21, 2014**

**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**

Neither party intends to submit 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 any unusual claims or defenses.

**7. OTHER MATTERS**

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

**8. BRIEFING SCHEDULE**

Counsel for both parties conferred and request the following briefing schedule, which is outside of the standard time frame, due to Defendant's case load:

- A. Plaintiff's Opening Brief Due: May 14, 2014**
- B. Defendant's Response Brief Due: June 13, 2014**
- C. Plaintiff's Reply Brief (If Any) Due: June 28, 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 19<sup>th</sup> day of March, 2014.

BY THE COURT:

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

APPROVED:

/s/  
By: Joseph A. Whitcomb  
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/s/ Stephanie Lynn F. Kiley  
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