

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:13-cv-02476-JLK AP

Maria F. Jimenez,

Plaintiff,

v.

Carolyn W. Colvin,
Acting Commissioner of Social Security,
Defendant.

~~DEFENDANT'S PROPOSED~~
JOINT CASE MANAGEMENT PLAN FOR SOCIAL SECURITY CASES

On February 19, 2014, agency counsel mailed Plaintiff, who appears in this case *pro se*, a hard copy of a proposed Joint Case Management Plan (JCMP) with a letter explaining the process, stating the JCMP's due date (March 5, 2014), and asking Plaintiff to contact agency counsel regarding the JCMP by February 26, 2014. Agency counsel also attempted to reach Plaintiff by telephone three times beginning on February 27, 2014, but was unsuccessful in reaching Plaintiff. Therefore, Defendant has not been able to confer with Plaintiff, but hereby submits this proposed JCMP.

1. APPEARANCES OF COUNSEL AND *PRO SE* PARTIES

Plaintiff, appearing *pro se*:

Maria F. Jimenez
773 West 91st Avenue, #105
Thornton, CO 80260
(720) 474-0706

For Defendant:

John F. Walsh
United States Attorney

J. Benedict García
Assistant United States Attorney
United States Attorney's Office
District of Colorado
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Alexess D. Rea
Special Assistant United States Attorney
1961 Stout, Suite 4169
Denver, Colorado 80294-4003
303-844-7101
303-844-0770 (facsimile)
Alexess.rea@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:** September 11, 2013
- B. **Date Complaint Was Served on U.S. Attorney's Office:** November 12, 2013
- C. **Date Answer and Administrative Record Were Filed:** February 13, 2014

4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD

Defendant states that, to the best of her knowledge, the record is complete and accurate.

5. STATEMENT REGARDING ADDITIONAL EVIDENCE

Defendant does not plan to provide any additional evidence.

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

Defendant states that this case does not appear to raise unusual claims or defenses.

7. OTHER MATTERS

Defendant is not aware of any other matters.

8. ~~PROPOSED~~ BRIEFING SCHEDULE

- A. Plaintiff's Opening Brief Due: April 14, 2014
- B. Defendant's Response Brief Due: May 14, 2014
- C. Plaintiff's Reply Brief (If Any) Due: May 29, 2014

9. STATEMENTS REGARDING ORAL ARGUMENT

- A. Plaintiff's Statement:
- 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 5th day of March, 2014.

BY THE COURT:

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

APPROVED:

John F. Walsh
United States Attorney

Maria F. Jimenez
773 West 91st Avenue, #105
Thornton, CO 80260
(720) 474-0706

Plaintiff, appearing *pro se*

s/ Alexess D. Rea
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Attorneys for Defendant

Revised: ~~5/20/2012~~