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

Civil Action No. 13-cv-02520-AP

DEANNA J. ARMIJO,

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

<u>For Plaintiff</u>: 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: 9/16/13
- **B.** Date Complaint Was Served on U.S. Attorney's Office: 11/21/13
- C. Date Answer and Administrative Record Were Filed: 1/16/14

# 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: 3/28/14
- **B. Defendant's Response Brief Due:** 5/7/14
- C. Plaintiff's Reply Brief (If Any) Due: 5/21/14

## 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 <u>MOVING ATTORNEY'S CLIENT</u>, 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 <u>good cause</u>.

DATED this <u>5<sup>th</sup></u> day of <u>February</u>, 2014.

BY THE COURT:

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

#### APPROVED:

<u>s/ Joseph A. Whitcomb, Esq.</u> 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

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<u>s/ Thomas H. Kraus</u> 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