IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

Civil Action No. 1:13-cv-03146-JLK

Julie Carl,

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:

Tracy Stewart Stewart Law Offices, P.C. 123 N. College Ave., Ste. 200 Fort Collins, CO 80524 970-402-9584 866-224-4944 (fax) tracy@stewart-law-offices.com

For Defendant:

John F. Walsh United States Attorney

J. Benedict García Assistant United States Attorney United States Attorney's Office District of Colorado J.B.Garcia@usdoj.gov

M. Thayne Warner Special Assistant United States Attorney 1961 Stout, Suite 4169 Denver, Colorado 80294-4003 303-844-7237 303-844-0770 (fax) thayne.warner@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: 11/19/13
- B. Date Complaint Was Served on U.S. Attorney's Office: 01/13/14
- C. Date Answer and Administrative Record Were Filed: 03/12/14

4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD

The parties state that the administrative record appears to be 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

Neither party contemplates unusual claims or defenses.

7. **OTHER MATTERS**

The parties are not aware of any other matters at this time. The case <u>is not</u> on remand from a court decision.

8. BRIEFING SCHEDULE

- A. Plaintiff's Opening Brief Due: July 18, 2014
- B. Defendant's Response Brief Due: August 19, 2014
- C. Plaintiff's Reply Brief (If Any) Due: August 29, 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 <u>MOVING ATTORNEY'S CLIENT</u>, 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 <u>good cause</u>.

DATED this 10th day of July 2014.

BY THE COURT:

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

APPROVED:

s/ Tracy Stewart

Tracy Stewart

John F. Walsh United States Attorney

By: s/ M. Thayne Warner

M. Thayne Warner Special Assistant U.S. Attorney 1961 Stout St., Suite 4169 Denver CO 80294-4003 303-844-7237 303-844-0770 (fax) thayne.warner@ssa.gov

Attorneys for Defendant

Fort Collins, CO 80524

970-402-9584 866-224-4944 (fax) tracy@stewart-law-offices.com

Stewart Law Offices, P.C. 123 N. College Ave., Ste. 200

Attorney for Plaintiff

- 3 -