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

Civil Action No. 1:13-cv-03383-AP

Sandria Pacheco

Plaintiff,

٧.

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:

Nicholas D. Purifoy (MO #57816) Disability Professionals 214 W. 18th St., Suite 100 Kansas City, MO 64108 (816) 221-8800 (816) 221-0078 npurifoy@mydisabilityprofessionals.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

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: December 16, 2013
- B. Date Complaint Was Served on U.S. Attorney's Office: January 27, 2014
- C. Date Answer and Administrative Record Were Filed: March 26, 2014

## 4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD

The parties state that, to the best of their knowledge, the record is complete and accurate.

## 5. STATEMENT REGARDING ADDITIONAL EVIDENCE

The parties do not anticipate any additional evidence.

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

The parties state that this case does not appear to raise unusual claims or defenses.

## 7. OTHER MATTERS

The parties are not aware of any other matters.

## 8. BRIEFING SCHEDULE

- A. Plaintiff's Opening Brief Due: May 27, 2014
- B. Defendant's Response Brief Due: June 25, 2014
- C. Plaintiff's Reply Brief (If Any) Due: July 10, 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 16<sup>th</sup> day of April, 2014.

BY THE COURT:

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

APPROVED:

s/ Nicholas Purifoy Nicholas D. Purifoy (MO #57816) Disability Professionals 214 W. 18th St., Suite 100 Kansas City, MO 64108 (816) 221-8800 (816) 221-0078 (facsimile) npurifoy@mydisabilityprofessionals.com

Attorney for Plaintiff

John F. Walsh United States Attorney

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Attorneys for Defendant