

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:14-cv-01116-AP

DEVIN HEITZMANN,

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:

For Defendant:

Sarah Van Arsdale Berry  
Assistant Regional Counsel  
Social Security Administration  
Office of General Counsel  
Region VIII  
1961 Stout, Suite 4169  
Denver, CO 80294  
Telephone: (303) 844-1570  
Facsimile: (303) 844-0770  
sarah.berry@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: April 18, 2014**
- B. Date Complaint Was Served on U.S. Attorney's Office: April 30, 2014**
- C. Date Answer and Administrative Record Were Filed: June 25, 2014**

**4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD**

To the best of his knowledge, Plaintiff states that the record is complete and accurate.  
To the best of her knowledge, Defendant states that the record is complete and accurate.

**5. STATEMENT REGARDING ADDITIONAL EVIDENCE**

The parties do not anticipate submitting additional evidence.

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

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

**7. OTHER MATTERS**

The parties state that there are no other matters.

**8. BRIEFING SCHEDULE**

The parties agreed to the following schedule:

- A. Plaintiff's Opening Brief Due: August 28, 2014**
- B. Defendant's Response Brief Due: September 30, 2014**
- C. Plaintiff's Reply Brief (If Any) Due: October 14, 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 14th day of July, 2014.

BY THE COURT:

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

APPROVED:

JOHN F. WALSH  
UNITED STATES ATTORNEY

J. BENEDICT GARCÍA  
Assistant United States Attorney  
United States Attorney's Office  
District of Colorado

s/Diane K. Bross  
Diane K. Bross, Esq  
2139 Chuckwagon Rd., Ste 305  
Colorado Springs, CO 80919  
Telephone: 719-634-7734  
Facsimile: 719-260-7736  
dianebross@dianebrosslaw.com  
Attorney for Plaintiff

s/Sarah Van Arsdale Berry  
Sarah Van Arsdale Berry  
Assistant Regional Counsel  
Social Security Administration  
Office of General Counsel, Region VIII  
1961 Stout, Suite 4169  
Denver, CO 80294  
Telephone: (303) 844-1570  
Facsimile: (303) 844-0770  
sarah.berry@ssa.gov