IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Wiley Y. Daniel

Civil Action No.   15-cv-02249-WYD

RENEE M. STAPLETON,

     Plaintiff,

v.

CAROLYN W. COLVIN, Acting Commissioner of Social Security,

     Defendant.

ORDER FOR PREPARATION OF JOINT CASE
MANAGEMENT PLAN FOR SOCIAL SECURITY CASES

Daniel, J.

     NOTICE: This Order contains provisions that alter substantively the way in which Social Security Appeals are managed and marshaled. Please read this Order carefully and thoroughly to ensure compliance with the orders of the court.

     The matter before me is plaintiff's **Complaint** [#1], filed October 9, 2015. In lieu of a scheduling conference, the parties must confer to prepare a proposed **Joint Case Management Plan for Social Security Cases** ("JCMP") as provided by D.C.COLO.LAPR 16.1(a). This Order provides instructions as to the preparation of the JCMP.

     1. **Form.** A copy of the required form of JCMP is attached to this Order and available on the district court's website at

http://www.cod.uscourts.gov/CourtOperations/RulesProcedures/Forms.aspx.

2. **Contents of the proposed JCMP**.

   a. Paragraph 3.B. The proposed form of JCMP shall state the date on which the U.S. Attorney's Office was served (or waived or accepted service). **The court anticipates that the government will waive or accept service no later than fourteen (14) days, or sooner if practicable, from the filing of the Complaint.**

   b. Paragraph 3.C. The Answer shall consist of a certified copy of the transcript of the administrative record plus any affirmative defense, which if then not filed, shall be waived. The Answer shall be filed no later than **sixty (60) days**, or sooner if practicable, after service (or waiver or acceptance of service).

   c. Paragraph 8.

      (1) Plaintiff's opening brief shall be due no later than **thirty (30) days** from the filing of the proposed JCMP. The deadlines for the submission of the response and any reply shall be as provided by D.C.COLO.LCivR 7.1(d).

      (2) Any motion for extension of these deadlines requires a showing of **good cause**, which must be established with **particularity**. The following **DO NOT** constitute good cause: agreement of counsel; inconvenience to counsel or the parties; press of business or a "heavy workload;" conflicts in scheduling (*a fortiori*, when more than one attorney has entered an appearance for a party); or practice as a solo practitioner.

(3) Opening and response briefs shall be limited to no more than **twenty (20) pages**. Reply briefs shall be limited to no more than **ten (10) pages**. These page limitations shall apply to the legal argument portion of the brief or response, but shall not include the cover page, jurisdictional statement, table of contents, or statement of facts and procedural history.

d. The proposed JCMP need not address paragraphs 4, 5, 6, or 9 of the form. The court anticipates that, if the matters addressed by these paragraphs are relevant, appropriate motions will be filed to bring such matters to the court's attention.

3. **Filing.**

a. The proposed JCMP shall be filed no later than **ten (10) days** after the Answer is filed.

b. To file the proposed JCMP, the parties shall use the event entitled "Proposed Joint Case Management Plan," listed under "Administrative Appeal Documents," in the court's case management and electronic case filing system (CM/ECF).

c. The proposed JCMP shall include the signatures of counsel and any *pro se* party and provide for the approval of the court, as specified in the required form of order specified in paragraph 1 above.

d. Concurrent with the filing of the proposed JCMP on CM/ECF, the parties shall provide a Microsoft Word editable version of the proposed JCMP to chambers at daniel_chambers@cod.uscourts.gov.

THEREFORE, IT IS ORDERED that the parties shall filed a proposed JCMP

consistent with these instructions.

Dated: October 13, 2015

BY THE COURT:

/s/ Wiley Y. Daniel
WILEY Y. DANIEL,
SENIOR UNITED STATES DISTRICT JUDGE