



1 Second, Plaintiff asserts that the Administrative Law Judge gave “insufficient  
2 reasons” to reject her testimony. Plaintiff argues that the Administrative Law Judge failed  
3 to apply the standard of *Bunnell v. Sullivan*, 947 F.2d 341 (9th Cir. 1991) (*en banc*). That  
4 case and its progeny hold that the Commissioner may not reject testimony about subjective  
5 symptoms without giving specific and legitimate reasons for doing so.

6 But Plaintiff does not point to any *subjective* symptom testimony that the  
7 Administrative Law Judge rejected improperly. In fact, Plaintiff does not point to any  
8 particular testimony at all, simply referencing the entirety of the two hearing transcripts,  
9 Plaintiff’s Memorandum in Support of Complaint at 17:20-21, and mixes the argument  
10 (and law) about subjective symptoms with an argument about whether Plaintiff can work  
11 a full-time job. The Administrative Law Judge focused on objective symptoms — what  
12 was Plaintiff’s eyesight — and found that Plaintiff was blind in the right eye, but had  
13 correctable vision in the left. [AR22, 24-25] He even adjourned the first hearing so that  
14 Plaintiff could have a consultative eye examination which would produce current  
15 information as to Plaintiff’s eyesight. [AR 80] He then fashioned a residual functional  
16 capacity that took into account the results of the eye examination, including various  
17 limitations to account for the right eye blindness and left eye cataract. This was not a  
18 situation where a claimant testified about symptoms that were not measurable.

19 Substantial evidence supported the Administrative Law Judge in the findings  
20 he made as to Plaintiff’s residual functional capacity and Plaintiff’s ability to perform jobs  
21 in the national economy. Accordingly, the Commissioner’s decision is affirmed.

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23 DATED: January 14, 2013

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RALPH ZAREFSKY  
27 UNITED STATES MAGISTRATE JUDGE  
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