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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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CECILIA TROPP,

No. CV 06-606-PHX-MHM

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Plaintiff,

ORDER

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vs.

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MICHAEL J. ASTRUE, Commissioner of
Social Security Administration,

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Defendant.

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The Court is in receipt of Defendant Michael J. Astrue’s Motion to Reopen File for
Further Proceedings. (Doc. 55). This case is a social security appeal that was originally filed
in this Court on February 28, 2006. (Doc. 1). On June 30, 2007, this Court issued an Order
denying Plaintiff’s appeal from her denial of benefits. (Doc. 36). Following the Court’s
decision, Plaintiff appealed to the Ninth Circuit Court of Appeals. (Doc. 38). On January
30, 2009, the Ninth Circuit issued an Order remanding the case without issuing judgment,
and directing that, “On remand, the Social Security Administration Appeals Council should
obtain Tropp’s 2005 and 2008 application files and reevaluate its unfavorable 2005 decision
in light of its favorable 2008 decision.” (Doc. 50). According to Defendant, those
proceedings occurred on April 1, 2010, and the ALJ issued a decision on May 12, 2010,
finding that Plaintiff was not disabled under sections 216(i) and 223(d) of the Social Security
Act through March 22, 2005.

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1 In light of the ALJ's decision, in his instant motion, Defendant requests that this Court
2 reopen the case pursuant to 42 U.S.C. § 405(g), which states that following remand the
3 Commissioner "shall file with the Court any such additional or modified findings of fact and
4 decision, and a transcript of the additional record and testimony upon which his action in
5 modifying or affirming was based." Defendant states that it will comply with this directive
6 and file a transcript of the administrative record as soon as the case is reopened for further
7 proceedings. Noting that Plaintiff has not responded and finding good cause therein, the
8 Court will grant Defendant's motion and reopen the case.

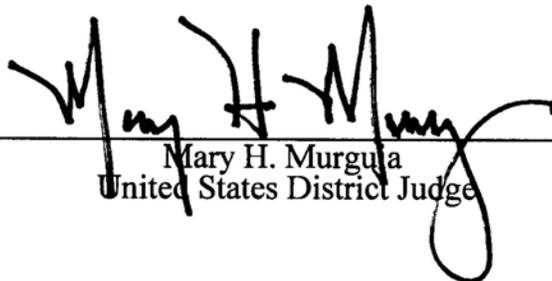
9 **Accordingly,**

10 **IT IS HEREBY ORDERED** granting Defendant Michael J. Astrue's Motion to
11 Reopen File for Further Proceedings pursuant to 42 U.S.C. § 405(g). (Doc. 55).

12 **IT IS HEREBY ORDERED** directing the Clerk of the Court to reassign this case.

13 DATED this 16th day of February, 2011.

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Mary H. Murgula
United States District Judge