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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

GREGORY BELL,  
Plaintiff,

vs.

No. CIV. S-10-2529 GGH

MICHAEL J. ASTRUE,  
Defendant.

ORDER

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On October 21, 2011, this court ordered that defendant’s motion to dismiss would be granted on the condition that the Commissioner file proof that it had sent plaintiff its promised underpayment. That order outlined the basis for granting the motion to dismiss. (Dkt. no. 24.) The Commissioner has now filed proof that it processed an underpayment in the amount of \$4,439.66 to plaintiff’s bank account.

Accordingly, for the reasons stated in this court’s order filed October 21, 2011, IT IS ORDERED that: Defendant’s motion to dismiss, filed May 31, 2011 (dkt. no. 14), is granted.

Dated: February 6, 2012

/s/ Gregory G. Hollows  
UNITED STATES MAGISTRATE JUDGE

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