

Accordingly, IT IS HEREBY ORDERED that: 1. The findings and recommendations (ECF No. 22) filed September 28, 2017, are adopted in full; 2. Plaintiff's motion for summary judgment (ECF No. 15) is granted; 3. Defendant's cross-motion for summary judgment (ECF No. 18) is denied; The matter is remanded for further proceedings as set forth in the findings and 4. recommendations (ECF No. 22); and 5. The Clerk of the Court is directed to enter judgment and close this file. Dated: February 20, 2018 Troy L. Nunley United States District Judge