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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's motion for summary judgment (ECF No. 20) is denied;
  2. The Commissioner's cross-motion for summary judgment (ECF No. 21) is granted;
- and
3. Judgment is entered for the Commissioner.

IT IS SO ORDERED.

Dated: January 29, 2018

  
MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE