

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
WESTERN DIVISION

HEATHER PENDERGRASS,	)	
	)	
Plaintiff,	)	
	)	No. 13 C 50308
v.	)	
	)	Judge Philip G. Reinhard
CAROLYN W. COLVIN,	)	
Acting Commissioner of Social Security,	)	
	)	
Defendant.	)	

**AGREED MOTION TO REINSTATE CIVIL ACTION NO. 13 C 50308  
AND FOR ENTRY OF FINAL JUDGMENT**

The Defendant, Carolyn W. Colvin, Acting Commissioner of Social Security, by her undersigned counsel, moves this court to reinstate this case and enter final judgment in this matter in favor of Plaintiff Heather Pendergrass. On December 19, 2013, the Commissioner requested that the court remand this case pursuant to sentence six of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), because significant portions of the recordings of the hearing held before the Administrative Law Judge were inaudible. On December 20, 2013, the court granted the motion and remanded this case for further administrative proceedings. Following additional administrative proceedings, an Administrative Law Judge awarded benefits to Plaintiff (under her new name, Heather Thompson) in a decision dated December 15, 2014, a copy of which is attached. The Commissioner now moves this Court to reinstate this case and enter judgment in favor of Plaintiff. *See* sentence six of 42 U.S.C. § 405(g) (“The court may . . . remand the case to the Commissioner of Social Security for further action by the Commissioner of Social Security, and it may at any time order additional evidence to be taken before the Commissioner of Social Security . . . and the Commissioner of Social Security shall, after the case is remanded, and after hearing such additional evidence if so ordered, modify or affirm the

Commissioner’s findings of fact or the Commissioner’s decision, or both, and shall file with the court any such additional and modified findings of fact and decision . . . .”); *Melkonyan v. Sullivan*, 111 S. Ct. 2157, 2163 (1991) (“The statute provides that following a sentence six remand, the Secretary must return to the district court to ‘file with the court any such additional or modified findings of fact and decision, and a transcript of the additional record and testimony upon which his action in modifying or affirming was based. 42 U.S.C. § 405(g).”).

Plaintiff’s counsel Stephanie R. Seibold advised Agency Counsel Linda Januszyk, on January 5, 2015, that she has no objection to this motion.

WHEREFORE, the Commissioner requests that the court reinstate this case and enter final judgment in this matter in favor of Plaintiff.

Respectfully submitted,

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