

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY

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|---------------------------------------|-----------------|
| IN RE VARIOUS SOCIAL SECURITY) | |
| CASES AFFECTED BY THE SIXTH) | |
| CIRCUIT DECISION IN <i>HICKS V.</i>) | Civil Case Nos. |
| <i>BERRYHILL</i> , NO. 17-5206,) | 0:16-cv-062-JMH |
|) | 5:16-cv-128-JMH |
|) | 5:16-cv-351-JMH |
|) | 5:17-cv-169-JMH |
|) | 6:16-cv-184-JMH |
|) | 6:16-cv-298-JMH |
|) | 6:17-cv-006-JMH |
|) | 7:16-cv-035-JMH |
|) | 7:16-cv-076-JMH |
|) | 7:16-cv-096-JMH |
|) | 7:16-cv-167-JMH |
|) | 7:16-cv-171-JMH |
|) | 7:16-cv-181-JMH |
|) | 7:16-cv-194-JMH |
|) | 7:16-cv-233-JMH |
|) | 7:16-cv-245-JMH |
|) | 7:16-cv-270-JMH |
|) | 7:16-cv-272-JMH |
|) | 7:16-cv-286-JMH |
|) | 7:16-cv-287-JMH |
|) | 7:16-cv-298-JMH |
|) | 7:17-cv-016-JMH |
|) | 7:17-cv-022-JMH |
|) | 7:17-cv-092-JMH |
|) | 7:17-cv-107-JMH |
|) | 7:17-cv-129-JMH |
|) | 7:17-cv-131-JMH |
|) | |
|) | |
|) | JUDGMENT |

In accordance with the Court's Memorandum Opinion and Order entered contemporaneously herewith, Rule 58 of the Federal Rules of Civil Procedure, and pursuant to 42 U.S.C. § 405(g), **IT IS ORDERED** as follows:

(1) The Commissioner's motions to remand pursuant to sentence six of 42 U.S.C. § 405(g) are **DENIED**;

(2) The Commissioner's decisions denying the plaintiffs' disability claims on redetermination are hereby **REVERSED**;

(3) The plaintiffs' requests to reinstate benefits pending the Commissioner's decision on remand are **GRANTED** consistent with this opinion;

(4) Pursuant to sentence four of 42 U.S.C. § 405(g), these matters are **REMANDED** to the SSA for further proceedings consistent with the Sixth Circuit's decision in *Hicks v. Commissioner of Social Security*, 909 F.3d 786 (6th Cir. 2018);

(5) These matters are **STRICKEN** from the active docket of this Court, to be restored to the active docket upon motion by any party for good cause shown;

(6) Any pending requests for relief in these actions are **DENIED AS MOOT**;

(7) This is a **FINAL AND APPEALABLE JUDGMENT** and there is **NO JUST CAUSE FOR DELAY**.

This the 11th day of July, 2019.



Signed By:

Joseph M. Hood *JMH*

Senior U.S. District Judge