

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF KENTUCKY

IN RE VARIOUS SOCIAL SECURITY  
CASES AFFECTED BY THE SIXTH  
CIRCUIT DECISION IN HICKS V.  
BERRYHILL, NO. 17-5206,

Civil Case Nos.

- ) 0:16-cv-0063-GFVT 7:16-cv-0191-GFVT
- ) 0:16-cv-0092-GFVT 7:16-cv-0198-GFVT
- ) 3:18-cv-0006-GFVT 7:16-cv-0216-GFVT
- ) 5:16-cv-0340-GFVT 7:16-cv-0242-GFVT
- ) 5:16-cv-0402-GFVT 7:16-cv-0253-GFVT
- ) 5:16-cv-0456-GFVT 7:16-cv-0267-GFVT
- ) 7:16-cv-0049-GFVT 7:16-cv-0294-GFVT
- ) 7:16-cv-0061-GFVT 7:16-cv-0295-GFVT
- ) 7:16-cv-0063-GFVT 7:17-cv-0010-GFVT
- ) 7:16-cv-0084-GFVT 7:17-cv-0017-GFVT
- ) 7:16-cv-0086-GFVT 7:17-cv-0026-GFVT
- ) 7:16-cv-0110-GFVT 7:17-cv-0050-GFVT
- ) 7:16-cv-0116-GFVT 7:17-cv-0069-GFVT
- ) 7:16-cv-0121-GFVT 7:17-cv-0077-GFVT
- ) 7:16-cv-0139-GFVT 7:17-cv-0083-GFVT
- ) 7:16-cv-0150-GFVT 7:17-cv-0121-GFVT
- ) 7:16-cv-0161-GFVT 7:17-cv-0141-GFVT
- ) 7:16-cv-0172-GFVT 7:17-cv-0189-GFVT
- ) 7:16-cv-0175-GFVT 7:18-cv-0005-GFVT

**JUDGMENT**

\*\*\* \*\*

In accordance with the Memorandum Opinion and Order, and pursuant to Rule 58 of the Federal Rules of Civil Procedure, it is **ORDERED AND ADJUDGED**:

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 **VACATED**;

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 (6<sup>th</sup> 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**; and

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

This the 15th day of July, 2019.



Gregory F. Van Meter  
United States District Judge