

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TIMOTHY BERKOWSKI,

Plaintiff,

v.

Case No. 08-12862
Honorable Patrick J. Duggan

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

JUDGMENT

This matter is before the Court on motions for summary judgment from both parties.

For the reasons set forth in an opinion issued this date,

IT IS ORDERED, ADJUDGED, AND DECREED the Plaintiff's motion for summary judgment is **GRANTED IN PART**, that the Commissioner's denial of Plaintiff's benefits is **REVERSED**, and that this matter is **REMANDED** to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for proceedings consistent with Magistrate Judge Majzoub's R&R..

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Date: September 9, 2009

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