

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

BIRGIT E. TUTTLE,

Plaintiff,

v.

COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.

---

Case No. 16-cv-11144

Paul D. Borman  
United States District Judge

R. Steven Whalen  
United States Magistrate Judge

ORDER (1) ADOPTING THE MAGISTRATE JUDGE'S JUNE 9, 2017 REPORT AND RECOMMENDATION (ECF NO. 32), (2) GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT TO THE EXTENT IT SEEKS A REMAND (ECF NO. 24), (3) DENYING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (ECF NO. 28), AND (4) REMANDING FOR FURTHER PROCEEDINGS UNDER SENTENCE FOUR OF 42 U.S.C. § 405(g)

On June 9, 2017, Magistrate Judge R. Steven Whalen issued a Report and Recommendation to GRANT Plaintiff's Motion for Summary Judgment to the extent it seeks a remand, DENY Defendant's Motion for Summary Judgment, and REMAND this matter for further administrative proceedings. Having reviewed the Report and Recommendation, and there being no timely objections under 28 U.S.C. § 636(b)(1) and E.D. Mich L. R. 72.1(d), the Court ADOPTS the Report and Recommendation (ECF No. 32), GRANTS Plaintiff's Motion for Summary Judgment to the extent it seeks a remand (ECF No. 24),

DENIES Defendant's Motion for Summary Judgment (ECF No. 28), and REMANDS the matter for further proceedings under Sentence Four of 42 U.S.C. § 405(g), consistent with Magistrate Judge Whalen's analysis in his June 9, 2017 Report and Recommendation.

IT IS SO ORDERED.

s/Paul D. Borman  
PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Dated: July 7, 2017

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on July 7, 2017.

s/Deborah Tofil  
Case Manager