

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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WYATT NORDIN,

Plaintiff,

v.

**ORDER**

Civil File No. 08-5295 (MJD/AJB)

MICHAEL J. ASTRUE,  
Commissioner of  
Social Security,

Defendants.

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Lionel H. Peabody, Counsel for Plaintiff.

Lonnie F. Bryan, United States Attorney's Office, Counsel for Defendant.

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This matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Arthur J. Boylan dated October 16, 2009 [Docket No. 26]. Plaintiff has filed an objection to the Report and Recommendation [Docket No. 28]. Pursuant to statute, the Court has conducted a de novo review of the record. See 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court **ADOPTS** the Report and Recommendation.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The Court **ADOPTS** the Magistrate Judge's Report and Recommendation dated October 16, 2009 [Docket No. 26].
2. That Plaintiff's Motion for Summary Judgment [Docket No. 19] is **DENIED**.
3. That Defendant's Motion for Summary Judgment [Docket No. 22] is **GRANTED**

Date: January 12, 2010

s/ Michael J. Davis  
Michael J. Davis  
Chief Judge  
United States District Court