

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

GORDON D. PAULSON, JR.,

Civil No. 10-4935 (JRT/JJK)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

MICHAEL J. ASTRUE,

Defendant.

Sean Quinn, **FALSANI BALMER PETERSON QUINN & BEYER**, 306 Superior Street West, Suite 1200, Duluth, MN 55802, for plaintiff.

Lonnie Bryan, Assistant United States Attorney, **OFFICE OF THE UNITED STATES ATTORNEY**, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415, for defendant.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes, dated November 21, 2011 [Docket No. 15]. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Plaintiff's motion for summary judgment [Docket No. 7], is **GRANTED**;
2. The case be remanded for reversal and an award of benefits;
3. Defendant's motion for summary judgment [Docket No. 13], is **DENIED**;

4. This case be dismissed and judgment entered.

LET JUDGMENT BE ENTERED ACCORDINGLY

Dated: December 15, 2011
at Minneapolis, Minnesota

s/ John R. Tunheim

JOHN R. TUNHEIM
United States District Judge