

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Dang Chang,

Plaintiff,

Civil No. 15-cv-4496 (ADM/HB)

v.

Nancy A. Berryhill, Acting Commissioner of
Social Security,¹

Defendant.

**ORDER ON REPORT
AND RECOMMENDATION**

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to the Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. The Report and Recommendation is **ADOPTED**;
2. Plaintiff Dang Chang's Motion for Summary Judgment [Doc. No. 14] is **GRANTED IN PART AND DENIED IN PART**; and
3. Defendant Carolyn W. Colvin's Motion for Summary Judgment [Doc. No. 16] is **GRANTED IN PART AND DENIED IN PART**; and

¹ Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Federal Rule of Civil Procedure Rule 25(d), Nancy A. Berryhill is substituted for Carolyn W. Colvin as the Defendant in this action.

4. The decision of the Commissioner is **REVERSED**; and
5. This matter is **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g), for further proceedings consistent with this Order, including:
 - a. The ALJ shall reconsider Dr. Colón's opinion in light of the discussion above and in accordance with 20 C.F.R. § 416.927(c).
 - b. Depending on the new weight assigned to Dr. Colón's opinion, the ALJ shall redevelop the RFC if necessary.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 27, 2017

s/Ann D. Montgomery
ANN D. MONTGOMERY
United States District Judge