

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF MINNESOTA**

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JOSEPH ROBERT CHRYST,

Civil No. 18-456 (JRT/TNL)

Plaintiff,

v.

**ORDER**

NANCY A. BERRYHILL,

Defendant.

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Stephanie M. Balmer, **FALSANI, BALMER, PETERSON & BALMER**,  
1200 Alworth Building, 306 West Superior Street, Duluth, MN 55802, for  
plaintiff.

James D. Sides, **SSA/OGC**, 1301 Young Street, Suite 702a, Dallas, TX  
75202, Pamela Marentette, Assistant United States Attorney, **UNITED  
STATES ATTORNEY'S OFFICE**, 300 South Fourth Street, Suite 600,  
Minneapolis, MN 55415, for defendant.

Based upon the Report and Recommendation by United States Magistrate Judge  
Tony N. Leung dated January 28, 2019 (Docket No. 17), along with all the files and  
records, and no objections to said Recommendation having been filed,

**IT IS HEREBY ORDERED** that:

1. Plaintiff's Motion for Summary Judgment (Docket No. 12) is **DENIED**; and
2. Commissioner's Motion for Summary Judgment (Docket No. 15) is

**GRANTED.**

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: February 20, 2019  
at Minneapolis, Minnesota

s/John R. Tunheim  
JOHN R. TUNHEIM  
Chief Judge  
United States District Court