

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

MICHAEL SOFTICH,

Plaintiff,

vs.

NANCY A. BERRYHILL, Acting
Commissioner of Social Security
Administration

Defendant.

CV 17-6-BU-JCL

ORDER

Based on the stipulation of the parties,

IT IS ORDERED that the Commissioner's decision on Plaintiff's application for disability insurance benefits is REVERSED and REMANDED to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council will instruct the Administrative Law Judge to:

1. Reevaluate the Claimant's testimony in light of all of the evidence, including the medical evidence.

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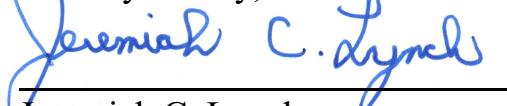
2. Give the proper weight to the opinions of the treating physician and consultative examiner and provide appropriate reasons for rejecting their opinions, if rejected.

3. Give further consideration to the Claimant's maximum residual functional capacity during the entire period at issue and provide rationale with specific references to the evidence of record, including the medical record, in support of assessed limitations.

4. Issue a new decision.

Upon proper presentation to the Court, Plaintiff will be entitled to reasonable attorney's fees and costs pursuant to 28 USC § 2412(d).

DONE and DATED this 25th day of July, 2017.



Jeremiah C. Lynch
United States Magistrate Judge