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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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BRIAN C. SUMMERS,

Plaintiff,

-against-

MICHAEL J. ASTRUE,
Commissioner of Social Security,

JUDGMENT
09-CV- 4371 (ARR)

Defendant.

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An Order of Honorable Allyne R. Ross, United States District Judge, having been filed on February 4, 2010, reversing the Commissioner's decision, pursuant to the fourth sentence of 42 U.S.C. § 405(g); and remanding plaintiff's claim for disability insurance benefits, filed on January 3, 2007, for further administrative proceedings, including but not limited to, a new hearing; further development of the record; re-evaluation of treating source evidence; re-assessment of plaintiff's residual functional capacity; and supplemental vocational expert evidence, if warranted; and a new decision; it is

ORDERED and ADJUDGED that the Commissioner's decision is reversed, pursuant to the fourth sentence of 42 U.S.C. § 405(g); and that it is further,

ORDERED and ADJUDGED that plaintiff's claim for disability insurance benefits, filed on January 3, 2007 is remanded for further administrative proceedings,

dm

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including but not limited to, a new hearing; further development of the record; re-evaluation of treating source evidence; re-assessment of plaintiff's residual functional capacity; and supplemental vocational expert evidence, if warranted; and a new decision.

Dated: Brooklyn, New York
February 05, 2010

ROBERT C. HEINEMANN
Clerk of Court