

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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EVA DELLA CROCE,

Plaintiff,

- against -

ACTING COMMISSIONER OF SOCIAL
SECURITY,

Defendant.
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A Memorandum and Order of the undersigned having been issued this day, granting Dellacroce's motion for judgment on the pleadings, and denying the Commissioner's motion for judgment on the pleadings, it is hereby

ORDERED, ADJUDGED and DECREED that this action is remanded to the Commissioner consistent with this Court's Memorandum and Order; and specifically, the Administrative Law Judge shall:

- (1) consider whether Dellacroce's work was performed under "special conditions"; and
- (2) in the event that the Administrative Law Judge finds that Dellacroce did work under "special conditions," determine whether she was engaged in substantial gainful activity.

SO ORDERED.

Roslynn R. Mauskopf

Dated: Brooklyn, New York
September 26, 2018

ROSLYNN R. MAUSKOPF
United States District Judge