

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**JAMES A. RIVENBURG,**

**Plaintiff,**

**v.**

**1:09-CV-0755**

**COMMISSIONER OF SOCIAL SECURITY,**

**Defendant.**

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**APPEARANCES:**

**OF COUNSEL:**

Office of Peter M. Margolius  
7 Howard Street  
Catskill, NY 12414  
Counsel for Plaintiff

Peter M. Margolius, Esq.

Social Security Administration  
Office of Regional General Counsel  
Region II  
26 Federal Plaza - Room 3904  
New York, NY 10278  
Counsel for Defendant

Vernon Norwood, Esq.

**NORMAN A. MORDUE, CHIEF U. S. DISTRICT JUDGE**

**ORDER**

The above matter comes to me following a Report-Recommendation by Magistrate Judge Victor E. Bianchini, duly filed on the 12<sup>th</sup> day of October 2010. Following fourteen (14) days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

**ORDERED** that:

1. The Report-Recommendation is hereby adopted in its entirety.
2. Plaintiff's motion for judgment on the pleadings is denied.
3. The decision of the Commissioner is affirmed.
4. The Clerk of the Court shall serve a copy of this Order upon all parties and the

Magistrate Judge assigned to this case.

5. The Clerk is directed to enter judgment.

**IT IS SO ORDERED.**

Dated: October 27, 2010  
Syracuse, New York

  
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Norman A. Mordue  
Chief United States District Court Judge