

RICHARD S. HARTUNIAN  
United States Attorney

Jeremy A. Linden  
Special Assistant U.S. Attorney  
c/o Social Security Administration  
Office of General Counsel  
26 Federal Plaza, Room 3904  
New York, NY 10278-0004  
(212) 264-2473  
jeremy.linden@ssa.gov  
Bar No. 516734

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

-----	X	
NICOLE ESTELLA HEDIN,	:	
	:	
Plaintiff,	:	<del>Hon. Randolph F. Trocena</del>
	:	
v.	:	<b>Civil Action No. 12-1789-FJS-RFT</b>
	:	
CAROLYN W. COLVIN,	:	<b>CONSENT ORDER TO REMAND</b>
ACTING COMMISSIONER	:	<b>PURSUANT TO SENTENCE 4 OF</b>
OF SOCIAL SECURITY,	:	<b>42 U.S.C. § 405(g)</b>
	:	
Defendant. <sup>1</sup>	:	
-----	X	

This matter having been opened to the Court by RICHARD S. HARTUNIAN, United States Attorney for the Northern District of New York, and Jeremy A. Linden, Special Assistant United States Attorney, attorneys for Defendant, for an Order remanding the within cause of action to the Defendant pursuant to sentence 4 of 42 U.S.C. § 405(g) so that further administrative action may be taken with regard to Plaintiff’s July 30, 2010 applications for Title II Disability Insurance Benefits and Title XVI Supplemental Security Income under the Social

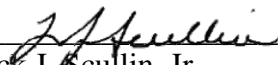
<sup>1</sup> Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin should be substituted, therefore, for Michael J. Astrue as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C § 405(g).

Security Act; and Plaintiff, through the undersigned attorney, having consented to the within order and the requested remand, and the Court having considered the matter,

IT IS on this 5th day of September, 2013;

ORDERED that the final decision of the Commissioner be and hereby is REVERSED, and the matter is REMANDED to the Defendant for this further administrative action, and it is further

ORDERED that the within matter, be and hereby is, DISMISSED in accord with the decision in Melkonyan v. Sullivan, 501 U.S. 89 (1991).

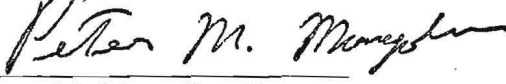
  
\_\_\_\_\_  
Frederick J. Scullin, Jr.  
~~Hon. Randolph F. Treese, Magistrate Judge~~  
Senior United States District Court Judge

The undersigned hereby consent to the form and entry of the within order.

RICHARD S. HARTUNIAN  
United States Attorney

By: /s/ Jeremy A. Linden  
Jeremy A. Linden  
Special Assistant U.S. Attorney  
Attorney for Defendant

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

By:   
\_\_\_\_\_  
Peter M. Margolius, Esq.  
Attorney for Plaintiff  
Bar No. 601125