

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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BARBARA A. FISHER,  
Plaintiff,

DECISION & ORDER  
16-CV-6376

v.

NANCY A. BERRYHILL, Acting  
Commissioner of Social Security,  
Defendant.

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Plaintiff Barbara A. Fisher ("plaintiff") brings this action pursuant to Title II and Title XVI of the Social Security Act seeking review of the final decision of the Commissioner of Social Security (the "Commissioner") denying her application for disability insurance benefits. See Complaint (Docket # 1). Presently before the Court are competing motions for judgment on the pleadings. See Docket ## 8, 11. The Court heard oral argument on May 5, 2017, and rendered an oral decision.

For the reasons stated on the record, plaintiff's motion for judgment on the pleadings (Docket # 8) is **granted** and the Commissioner's motion for judgment on the pleadings (Docket # 11) is **denied**. The case is remanded for proceedings consistent with the oral decision rendered on the record.



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JONATHAN W. FELDMAN  
United States Magistrate Judge

Dated: May 5, 2017  
Rochester, New York