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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BARRY E. KIRBY II, Plaintiff v. MICHAEL J. ASTRUE, COMMISSIONER OF THE SOCIAL SECURITY ADMINISTRATION Defendant	CIVIL ACTION 10-3425

FILED
JUL 11 2011
MICHAEL E. KUNZ, Clerk
By_____ Dep. Clerk

ORDER

AND NOW, this 11 day of July, 2011, upon consideration of Plaintiff's Brief and Statement of Issues in Support of Request for Review, and Defendant's Response thereto, and after careful review of the Report and Recommendation of United States Magistrate Judge Arnold C. Rapoport, IT IS ORDERED that:

1. the Report and Recommendation is APPROVED and ADOPTED; and

2. Plaintiff's Request for Review is GRANTED.

3. this matter is REMANDED to the Commissioner of Social Security for further consideration.

BY THE COURT:

T N O'Neill

Thomas N. O'Neill, J.

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