

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

SUZANNE PYUN,
Plaintiff,

v.

**CAROLYN W. COLVIN, in her capacity as
Acting Commissioner, U.S. Social Security
Administration,**
Defendant.

CIVIL ACTION

NO. 16-2633

ORDER

AND NOW, this 22nd day of December, 2016, upon consideration of defendant's Motion to Dismiss or, in the Alternative, for Summary Judgment (Doc. No. 13, filed August 5, 2016), plaintiff's Response in Opposition to Defendant's Motion to Dismiss or, in the Alternative, for Summary Judgment (Doc. No. 17, filed September 7, 2016), and defendant's Reply to Plaintiff's Response (Doc. No. 20, filed September 20, 2016), for the reasons set forth in the accompanying Memorandum dated December 22, 2016, **IT IS ORDERED** that defendant's Motion to Dismiss or, in the Alternative, for Summary Judgment is **DENIED WITHOUT PREJUDICE** to defendant's right to raise the issues presented after completion of discovery by motion for summary judgment and/or trial.

IT IS FURTHER ORDERED that a Preliminary Pretrial Conference will be scheduled in due course.

BY THE COURT:

/s/ **Hon. Jan E. DuBois**

DuBOIS, JAN E., J.