

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

CINDY M. DEMKO,  
Plaintiff

CIVIL ACTION

VS.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,  
Defendant

NO. 08-2470

**FILED**

AUG 20 2009

MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

**ORDER**

BERLE M. SCHILLER, J.

AND NOW, this 20 day of Aug 2009, upon consideration of the plaintiff's request for review, and defendant's response to request for review, and after careful review of the Report and Recommendation of United States Magistrate Judge Linda K.

Caracappa, IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. Plaintiff's Request for Review is GRANTED IN PART and DENIED IN PART;
3. The case is REMANDED to the Commissioner for purposes of calculating benefits.

It is so ORDERED  
BY THE COURT:  


BERLE M. SCHILLER, J.