

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

SANDRA ANDERSON,
Plaintiff

v.

KATHLEEN SEBELIUS, Secretary
of Health and Human Services,
Defendant

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File No. 1:09-cv-16

ORDER

On May 29, 2009, Plaintiff's Motion for an Order Governing Motions and Discovery (Doc. 15) was referred to the Magistrate Judge for consideration. (Order, Doc. 16.) Judge Conroy received briefing from the parties and held a hearing on July 7, 2009.

On July 10, 2009, the Magistrate Judge issued a well-reasoned and thorough Order denying Plaintiff's motion. (Doc. 20.) Plaintiff filed an objection to the Order (Doc. 21), as well as a supporting Reply Memorandum (Doc. 25) to Defendant's Response (Doc. 24).

Upon review, the Magistrate Judge's Order is AFFIRMED. If the wrong standard was applied to deny Plaintiff coverage, the error can be reversed as a matter of law on the present record. Plaintiff's Motion for an Order Reversing the Secretary's Decision shall be filed on or before February 16, 2010. See Order granting Unopposed Motion for Extension of Time to File Motion for Order Reversing the Secretary's Decision. (Doc. 14.)

This matter is returned to Magistrate Judge Conroy for further proceedings.

SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 18th day of December, 2009.

/s/ J. Garvan Murtha
Honorable J. Garvan Murtha
Senior United States District Judge