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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**

BRANDON COOPER,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL  
SECURITY

Defendant.

No. 1:16-CV-03046-FVS

ORDER ADOPTING REPORT AND  
RECOMMENDATION TO DENY  
PLAINTIFF'S MOTION FOR  
SUMMARY JUDGMENT AND  
GRANT DEFENDANT'S MOTION  
FOR SUMMARY JUDGMENT

**BEFORE THE COURT** is the Report and Recommendation issued by Magistrate Judge Mary K. Dimke on July 24, 2017, ECF No. 25, recommending Plaintiff's Motion for Summary Judgment, ECF No. 14, be granted and Defendant's Motion for Summary Judgment, ECF No. 20, be denied. No objection was filed. After review, the Court hereby adopts the Report and Recommendation in its entirety. Accordingly, **IT IS ORDERED:**

1. The Report and Recommendation, **ECF No. 25**, is **ADOPTED** in its entirety.

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2. Plaintiff’s Motion for Summary Judgment, **ECF No. 14**, is  
**GRANTED.**

3. Defendant’s Motion for Summary Judgment, **ECF No. 20**, is  
**DENIED.**

4. An application for attorney fees may be filed by separate motion.

The District Court Executive is directed to file this Order and forward copies  
to counsel. Judgment shall be entered for Plaintiff and the file shall be **CLOSED.**

DATED August 8, 2017.

*s/Fred Van Sickle*  
Fred Van Sickle  
Senior United States District Judge