Ekenbarger v. Colvin Doc. 19

**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF WASHINGTON**

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| CHRISTY EKENBARGER,<br><br>Plaintiff,<br><br>vs.<br><br>CAROLYN W. COLVIN,<br><br>Acting Commissioner of Social Security,<br><br>Defendant. | No. 15-CV-0202-FVS<br><br>ORDER ADOPTING REPORT AND RECOMMENDATION TO GRANT PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND DENY DEFENDANT'S MOTION FOR SUMMARY JUDGMENT<br><br>ECF Nos. 14, 15, 18 |

**BEFORE THE COURT** is the Report and Recommendation issued by Magistrate Judge Mary K. Dimke on September 28, 2016, ECF No. 18, recommending Plaintiff's Motion for Summary Judgment, ECF No. 14, be granted and Defendant's Motion for Summary Judgment, ECF No. 15, be denied. No objection was filed. After review, the Court hereby adopts the Report and Recommendation in its entirety. Accordingly, **IT IS ORDERED:**



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1. The Report and Recommendation, **ECF No. 18**, is **ADOPTED** in its entirety.

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

3. Defendant's Motion for Summary Judgment, **ECF No. 15,** 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 the parties. Judgment shall be entered for Plaintiff and the file shall be **CLOSED**.

DATED October 13, 2016.

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