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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

TIFFANY ANN KEENER,

Plaintiff,

v.

NANCY A. BERRYHILL,
Acting Commissioner of Social
Security,

Defendant.

No. 2:16-cv-00437-RHW

**ORDER GRANTING MOTION FOR
REMAND**

Before the Court is a Stipulated Motion for Remand and jointly move the Court to remand for further administrative proceedings. **ECF No. 17**. Based on the agreement of the parties and the record, the Court finds good cause to grant the motion.

The Commissioner’s decision to deny Plaintiff’s application for disability benefits is **REVERSED** and **REMANDED** for further proceedings including a de novo hearing pursuant to sentence four of 42 U.S.C. § 405(g). Upon remand, the administrative law judge shall: (1) obtain a complete copy of the November 15, 2013, report of the examination by Frank Rosekrans, Ph.D., and the attachments including the Personality Assessment Inventory profile and interpretation; (2) obtain the X-rays and MRI report referenced in the November-December report

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1 2013 report of the examination by William Shanks, M.D.; (3) reconsider the
2 medical opinions, particularly those of Dr. Rosekrans and Dr. Shanks, consistent
3 with 20 C.F.R. § 416.927; (4) reconsider Ms. Keener's residual functional
4 capacity; (5) reconsider Ms. Keener's subjective complaints; (6) if necessary,
5 obtain supplemental evidence from a vocational expert; and (7) offer Ms. Keener a
6 supplemental hearing. The ALJ shall also issue a new decision.

7 Accordingly, **IT IS HEREBY ORDERED:**

8 1. The parties' Stipulated Motion for Remand, **ECF No. 17**, is **GRANTED**.

9 2. The Commissioner's decision is **REVERSED** and this matter is
10 **REMANDED** for further administrative proceedings consistent with this order.

11 3. All pending motions in this matter are now moot.

12 4. Reasonable attorney fees shall be awarded under the Equal Access to
13 Justice Act, 28 U.S.C. § 2412, upon proper request to the Court.

14 5. The District Court Executive shall enter judgment for the Plaintiff and
15 against Defendant.

16 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
17 Order, forward copies to counsel, and **close the file**.

18 **DATED** this 5th day of October, 2017.

19
20 *s/Robert H. Whaley*
21 **ROBERT H. WHALEY**
22 Senior United States District Judge
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