

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

09 MICHAEL A. WALL, )  
10 Plaintiff, ) CASE NO. C13-0930-JLR-MAT  
11 v. )  
12 CAROLYN W. COLVIN, Acting ) REPORT AND RECOMMENDATION  
Commissioner of Social Security, )  
13 )  
14 Defendant. )

15 Plaintiff brought this action to seek judicial review of the denial of an application for  
16 disability benefits by the Commissioner of the Social Security Administration. The parties  
17 now stipulate this case should be reversed and remanded for further proceedings. (Dkt. 30.)

18 Based on the stipulation of the parties, the Court recommends this case be REVERSED  
19 and REMANDED for further administrative proceedings pursuant to sentence four of 42  
20 U.S.C. § 405(g). On remand, the Administrative Law Judge shall: (1) hold a de novo hearing  
21 and re-assess the severity of plaintiff's anxiety; (2) re-assess the medical evidence of record,  
22 including the opinions of Brian Smart, M.D., Timothy Bondurant, M.D., and Suzanne Canning,

**REPORT AND RECOMMENDATION**  
**PAGE -1**

01 M.D.; (3) re-assess plaintiff's credibility and residual functional capacity; and (4) if necessary,  
02 obtain supplemental evidence from a vocational expert. Also, upon proper application, the  
03 Court will consider plaintiff's application for attorneys' fees under the Equal Access to Justice  
04 Act, 24 U.S.C. § 2412, *et seq.*

05 The Court recommends that United States District Judge James L. Robart immediately  
06 approve this Report and Recommendation and order the case REVERSED and REMANDED  
07 for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). A  
08 proposed order accompanies this Report and Recommendation.

09 DATED this 7th day of January, 2014.

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12 Mary Alice Theiler  
13 Chief United States Magistrate Judge  
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