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Upon proper application, the Court will consider whether reasonable attorney's fees and costs should be awarded pursuant to 28 U.S.C. § 2412(d).

Because the parties have stipulated that the case be remanded as set forth above, the Court recommends that United States District Judge Ronald B. Leighton immediately approve this Report and Recommendation. The Clerk should note the matter for **December 21, 2016** as ready for Judge Leighton's consideration. A proposed order accompanies this Report and Recommendation.

DATED this 21st day of December, 2016.

AMES P. DONOHUE

Chief United States Magistrate Judge

ames P. Donolaue