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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ELEANOR DUDA, o/b/o ANTHONY
DUDA (deceased),

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of
Social Security,

Defendant.

Case No. C08-5582BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation of the Honorable Karen L. Strombom, United States Magistrate Judge. Dkt. 16. The Court having considered the Report and Recommendation, Defendant's failure to file objections, and the remaining record, does hereby find and order:

- (1) The Court adopts the Report and Recommendation; and
- (2) The Administrative Law Judge's decision is **REVERSED**, and this action is **REMANDED** to the Commissioner for further administrative proceedings in accordance with the Report and Recommendation.

DATED this 10th day of August, 2009.



BENJAMIN H. SETTLE
United States District Judge

ORDER