

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BRENDA L. DAVIS,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of
Social Security Administration,

Defendant.

Case No. C08-5604 RJB

ORDER ADOPTING
AMENDED REPORT AND
RECOMMENDATION

The Court, having reviewed the Amended Report and Recommendation of Magistrate Judge J. Kelley Arnold (Dkt. 14), and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Amended Report and Recommendation (Dkt. 14);
- (2) The ALJ failed to properly assess plaintiff's fibromyalgia and the medical evidence. The matter is **REMANDED** to the administration for further proceeding in a manner consistent with the report and recommendation.
- (3) The Clerk is directed to send copies of this Order to plaintiff, counsel for defendants, and to the Hon. J. Kelley Arnold.

DATED this 30th day of March, 2009.


ROBERT J. BRYAN
United States District Judge