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3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT TACOMA

6 ERIC DUFENDACH,

7 Plaintiff,

8 v.

9 CAROLYN W. COLVIN, Acting
10 Commissioner of Social Security,

11 Defendant.

Case No. 3:13-cv-05477-BHS-KLS

REPORT AND RECOMMENDATION

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13 This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C.
14 § 636(b)(1)(B) and Local Rule MJR 4(a)(4) and as authorized by Mathews, Secretary of H.E.W.
15 v. Weber, 423 U.S. 261 (1976). This matter is before the Court on the stipulated motion for
16 remand. See ECF #29. After reviewing the parties' stipulated motion and the remaining record,
17 the undersigned recommends that the Court grant the parties' motion, and remand this matter to
18 the Commissioner for further proceedings.

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20 The undersigned recommends that the above-captioned case be reversed and remanded
21 for a *de novo* hearing and further administrative proceedings pursuant to sentence four of 42
22 U.S.C. § 405(g), including but not limited to the following: obtain vocational expert testimony
23 at steps four and five of the sequential evaluation process, as necessary, to determine whether
24 Plaintiff has acquired transferable work skills from his past relevant work and provide evidence
25 in support of that conclusion.
26

Upon proper presentation, the Court will consider Plaintiff's application for attorney fees
REPORT AND RECOMMENDATION - 1

1 under the Equal Access to Justice Act and Section 406(b) of the Social Security Act, if
2 appropriate.

3 Given the fact of the parties' stipulation, the undersigned recommends that the District
4 Judge immediately approve this Report and Recommendation and order the case **REVERSED**
5 and **REMANDED**. A proposed order accompanies this Report and Recommendation.

6 DATED this 14th day of January, 2014.
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11 Karen L. Strombom
12 United States Magistrate Judge
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