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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 TACOMA DIVISION

10 DEBRA L. FINLEY,

11 Plaintiff,

12 vs.

13 CAROLYN W. COLVIN,  
Acting Commissioner of Social Security,

14 Defendant.

Civil No. C15-5069 RSM

ORDER

15 Based on the stipulation of the parties, it is ORDERED that the Commissioner's decision  
16 in regard to Plaintiff's applications for disability insurance benefits and supplemental security  
17 income payments under Titles II and XVI of the Social Security Act be REVERSED and  
18 REMANDED to the Commissioner of Social Security for further administrative proceedings  
19 before an Administrative Law Judge, a de novo hearing, and a new decision. On remand, the  
20 ALJ will reevaluate the medical opinion evidence, including the opinions of Dr. Oakes and Dr.  
21 Lloyd; reevaluate Plaintiff's credibility; and reconsider whether Plaintiff can perform her past  
22 relevant work at step four. In light of Plaintiff's application for Supplemental Security Income  
23 Benefits, as well as the fact that Plaintiff's date last insured post-dated the ALJ's decision, the

1 ALJ should also update the medical record and reconsider her other findings in light of the  
2 expanded record. If Plaintiff is unable to perform her past relevant work, the ALJ will proceed  
3 with the sequential evaluation process and consider whether Plaintiff can perform other work,  
4 obtaining vocational expert testimony, if necessary.

5 This Court hereby reverses the Commissioner's decision under sentence four of 42  
6 U.S.C. §405(g) with a remand of the case to the Commissioner for further proceedings. *See,*  
7 *Melkonyan v. Sullivan*, 501 U.S. 89 (1991). Plaintiff will be entitled to reasonable attorney fees  
8 and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d), upon proper request  
9 to this Court.

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11 DATED this 30<sup>th</sup> day of July 2015.

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13 RICARDO S. MARTINEZ  
14 UNITED STATES DISTRICT JUDGE

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18 Presented by:

19 s/ Jeffrey R. McClain  
20 JEFFREY R. MCCLAIN  
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