Aue (Brown) v. Berryhill
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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| ERIN H. AUE (BROWN),<br>Plaintiff,<br>v.<br>NANCY A. BERRYHILL,<br>Defendant. | CASE NO. C17-5704-JCC<br>ORDER |

The Court, after careful consideration of the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge (Dkt. No. 16), and the balance of the record, adopts the Report and Recommendation and ORDERS that:

1) The Commissioner's decision is REVERSED and the case is REMANDED to the Social Security Administration for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g) and consistent with the Report and Recommendation.

2) On remand, the Commissioner shall hold a *de novo* hearing and will re-evaluate Jason Etzel, M.D.'s November 2013 and April 2015 opinions. In doing so, the Commissioner will state what weight is afforded to those opinions and discuss



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whether the Commissioner is accepting or rejecting the specific limitations in each opinion. Plaintiff shall have the opportunity to submit new evidence.

3) The Clerk is DIRECTED to provide copies of this order to the parties and Judge Tsuchida.

DATED this 7th day of January 2018.

John C. Coughenour
UNITED STATES DISTRICT JUDGE