

**UNITED STATES DISTRICT COURT
District of Maine**

| | | |
|--|---|-----------------------------|
| BRUCE M. DIGAETANO, |) | |
| |) | |
| Plaintiff |) | |
| |) | |
| v. |) | Civil No. 09-539-P-S |
| |) | |
| MICHAEL J. ASTRUE, Commissioner of Social Security, |) | |
| |) | |
| Defendant |) | |

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on October 31, 2010, his Recommended Decision (Docket No. 17). Plaintiff filed his Objection to the Recommended Decision (Docket No. 18) on November 11, 2010.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.

2. It is hereby **ORDERED** that the Commissioner's Decision is **VACATED IN PART**; this case is **REMANDED** with instructions to pay SSD benefits in accordance with the terms of the Magistrate Judge's Recommended Decision.

/s/George Z. Singal

U.S. District Judge

Dated this 30th day of November , 2010.

Plaintiff

BRUCE M DIGAETANO

represented by **ANDREW J. BERNSTEIN**
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V.

Defendant

**SOCIAL SECURITY
ADMINISTRATION
COMMISSIONER**

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Interested Party

**SOCIAL SECURITY
ADMINISTRATION**