

**UNITED STATES DISTRICT COURT  
District of Maine**

**MARK E. LIBBY,**

**Plaintiff**

v.

**MICHAEL J. ASTRUE,  
Commissioner of Social Security,  
Defendant**

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**2:10-cv-265-GZS**

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

The United States Magistrate Judge filed with the Court on June 24, 2011, his Recommended Decision (Docket No. 17). Defendant filed his Objection to the Recommended Decision (Docket No. 18) on June 29, 2011.

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** and the case is remanded for further proceedings.

/s/George Z. Singal  
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U.S. District Judge

Dated this 21<sup>st</sup> day of July, 2011.

**Plaintiff**

**MARK E LIBBY**

represented by **ANDREW J. BERNSTEIN**  
LAW OFFICE OF JOSEPH  
BORNSTEIN  
5 MOULTON STREET  
PO BOX 4686  
PORTLAND, ME 04112  
207-772-4624  
Email: abernstein@joebornstein.com  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**SOCIAL SECURITY  
ADMINISTRATION  
COMMISSIONER**

represented by **JASON W. VALENCIA**  
SOCIAL SECURITY  
ADMINISTRATION  
OFFICE OF GENERAL COUNSEL,  
REGION I  
625 J.F.K. FEDERAL BUILDING  
BOSTON, MA 02203  
617-565-2375  
Email: jason.valencia@ssa.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**SUSAN B. DONAHUE**  
SOCIAL SECURITY  
ADMINISTRATION  
OFFICE OF GENERAL COUNSEL,  
REGION I  
J.F.K. FEDERAL BUILDING  
ROOM 625  
BOSTON, MA 02203  
617-565-4288  
Email: susan.donahue@ssa.gov  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**SOCIAL SECURITY  
ADMINISTRATION**