

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Lott v. Colvin

541 F. App'x 702 (7th Cir. 2013) · Decided October 16, 2013

SUMMARY

The Seventh Circuit affirmed the denial of Nancy Lott’s application for Social Security disability benefits. The court held that substantial evidence supported the administrative law judge’s residual functional capacity determination and assessment of Lott’s subjective complaints, including consideration of her medical records, daily activities, part-time work, and unemployment benefits. The court also concluded that the ALJ adequately considered the combined effects of Lott’s impairments.

CASE DETAILS

COURT	United States Court of Appeals for the Seventh Circuit
WRITING FOR THE COURT	Easterbrook; Kanne; Manion
JURISDICTION	Federal
DECIDED	October 16, 2013
DISPOSITION	affirmed
PROCEDURAL POSTURE	Lott appealed the district court's judgment upholding the Social Security Administration's denial of her application for disability insurance benefits.
STANDARD OF REVIEW	The court reviewed whether substantial evidence supported the ALJ's decision and upheld the credibility determination unless it was patently wrong.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Nancy Lott v. Colvin, Social Security Administration

TOPICS

- judicial review of agency action
- administrative law
- standard of review
- appellate procedure

PRACTICE AREAS

- Social Security disability benefits
- administrative law
- appellate review

QUESTIONS PRESENTED

1. Whether substantial evidence supported the ALJ's residual-functional-capacity determination despite Lott's hearing loss, vision problems, carpal tunnel syndrome, depression, and anxiety.
2. Whether the ALJ adequately considered the aggregate effect of Lott's impairments.
3. Whether the ALJ's adverse credibility determination was patently wrong because it used criticized boilerplate language and relied on Lott's activities, medical evidence, and receipt of unemployment benefits.
4. Whether the ALJ improperly disregarded relevant medical records and the opinion of a reviewing psychologist.

HOLDINGS

1. The ALJ reasonably concluded that Lott's vision problems, hearing loss, and carpal tunnel syndrome did not prevent her from performing the work identified in the RFC.
2. The ALJ adequately considered the aggregate effect of Lott's impairments.
3. The ALJ's adverse credibility determination was not patently wrong, even though the ALJ used criticized boilerplate language.
4. The ALJ's treatment of Lott's depression and anxiety was sufficient to support the nondisability finding.

KEY QUOTATIONS

“Nevertheless, we will uphold the credibility finding if the ALJ offers specific reasons to disbelieve the claimant's testimony” (at 707)

“We require only that the ALJ acknowledge having considered the aggregate effect, as long as the ALJ discusses each symptom.” (at 706)

FACTUAL BACKGROUND

Lott, age 53, alleged that vision and hearing problems, carpal tunnel syndrome, diabetes, kidney disease, depression, anxiety, and related conditions prevented her from working after she was laid off from a 22-year career as a secretary. Medical evidence showed stable corrected vision, normal grip strength and range of motion, and mental limitations to simple routine tasks according to a reviewing psychologist. Lott nevertheless performed household chores, drove under some conditions, crocheted, and worked part-time as a companion for a visually impaired woman. The ALJ found that her impairments did not prevent light work or performance of her past work as a secretary.

PROCEDURAL HISTORY

An administrative law judge determined that Lott was not disabled under the Social Security Act after applying the required five-step analysis and finding that she could perform her past work as a secretary. The Appeals Council denied review. By consent, a magistrate judge reviewed the agency decision and concluded that substantial evidence supported it. The Seventh Circuit affirmed.

DISPOSITION

affirmed

CASES CITED

- Lott v. Astrue, No. 11 CV 5632, 2012 WL 5995736, at *1-3 (N.D. Ill. Nov. 30, 2012)
- Jones v. Astrue, 623 F.3d 1155, 1161-62 (7th Cir. 2010)
- Castile v. Astrue, 617 F.3d 923, 927-28 (7th Cir. 2010)
- Skinner v. Astrue, 478 F.3d 836, 844-45 (7th Cir. 2007)
- Pepper v. Colvin, 712 F.3d 351, 362-63, 367-68 (7th Cir. 2013)
- Simila v. Astrue, 573 F.3d 503, 514-15 (7th Cir. 2009)
- Denton v. Astrue, 596 F.3d 419, 425 (7th Cir. 2010)
- Shauger v. Astrue, 675 F.3d 690, 696 (7th Cir. 2012)
- Moss v. Astrue, 555 F.3d 556, 562 (7th Cir. 2009)
- Filus v. Astrue, 694 F.3d 863, 868 (7th Cir. 2012)
- Getch v. Asirle, 539 F.3d 473, 483 (7th Cir. 2008)
- Bjornson v. Astrue, 671 F.3d 640, 645 (7th Cir. 2012)
- Parker v. Astrue, 597 F.3d 920, 922 (7th Cir. 2010)
- Shideler v. Astrue, 688 F.3d 306, 311-12 (7th Cir. 2012)
- Berger v. Astrue, 516 F.3d 539, 546 (7th Cir. 2008)
- Moss v. Department of Employment Security, 357 Ill. App. 3d 980, 294 Ill. Dec. 251, 830 N.E.2d 663, 668 (2005)
- Schmidt v. Barnhart, 395 F.3d 737, 746 (7th Cir. 2005)

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