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8 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT
 10 EASTERN DISTRICT OF CALIFORNIA
 11 **SACRAMENTO DIVISION**

12 CHRISTINE SMITH,)	Case No. 2:09-cv-709 EFB
)	
13 Plaintiff,)	STIPULATION AND ORDER FOR
)	REMAND PURSUANT TO SENTENCE
14 v.)	FOUR OF 42 U.S.C. § 405(g), and
)	
15 MICHAEL J. ASTRUE,)	REQUEST FOR ENTRY OF
Commissioner of Social Security,)	JUDGMENT IN FAVOR OF
)	PLAINTIFF AND AGAINST
16 Defendant.)	DEFENDANT

17
 18 IT IS HEREBY STIPULATED, by and between the parties, through their respective
 19 counsel of record, that this action be remanded to the Commissioner of Social Security for
 20 further administrative action pursuant to section 205(g) of the Social Security Act, as amended,
 21 42 U.S.C. § 405(g), sentence four.

22 On remand, the Appeals Council will instruct the Administrative Law Judge (“ALJ”) to
 23 take the following action:

24 The ALJ will not disturb the favorable portion of decision. The ALJ will be directed to
 25 fully develop the record for the period prior to February 21, 2008. Specifically, the ALJ will
 26 further evaluate the evidence, including claimant's subjective complaints and credibility as well
 27 as the third party statements of her sister; reconsider the claimant's maximum RFC; and call on
 28 the services of a medical expert to review the evidence and assist in determining whether the

1 claimant's onset date of disability was earlier than February 21, 2008, in accordance with Social
2 Security Ruling 83-20.

3 The parties further request that the Clerk of the Court be directed to enter a final
4 judgment in favor of plaintiff, and against defendant, Commissioner of Social Security, reversing
5 the final decision of the Commissioner.

6 Respectfully submitted,

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8 Dated: May 26, 2010

/s/ Bess Brewer
(As authorized via email)
BESS BREWER
Attorney for Plaintiff

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10 Dated: May 26, 2010

BENJAMIN B. WAGNER
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14 /s/ Shea Lita Bond
SHEA LITA BOND
Special Assistant U.S. Attorney

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16 IT IS SO ORDERED:

17 Dated: May 27, 2010.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE