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13 Attorneys for Defendant

14 UNITED STATES DISTRICT COURT  
 15 EASTERN DISTRICT OF CALIFORNIA

16 CARLOS URBANO,	)	Case No. 2:10-cv-02007-EFB
17 Plaintiff,	)	
18 v.	)	STIPULATION AND ORDER FOR
19 MICHAEL J. ASTRUE,	)	REMAND PURSUANT TO SENTENCE FOUR OF
20 Commissioner of Social Security,	)	42 U.S.C. § 405(g), AND REQUEST FOR ENTRY
21 Defendant.	)	OF JUDGMENT IN FAVOR OF PLAINTIFF AND
22 _____)	)	AGAINST DEFENDANT

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

27 Plaintiff will be given an opportunity for another hearing and an opportunity to submit  
 28 additional evidence. Upon remand, the Appeals Council will direct the administrative law judge  
 to further consider whether Plaintiff's IQ scores in the record, including any IQ scores from any  
 subsequent consultative examination or other examination(s), meets or equals Listing 12.05C; and  
 if the ALJ finds that Plaintiff does not meet or equal Listing 12.05C or any other listing, evaluate  
 all of the evidence of record and make a residual functional capacity (RFC) finding, explaining  
 the basis for the RFC and citing the evidence supporting it.

1 The parties stipulate that no specific aspect of the ALJ's prior decision is affirmed.

2 The parties further request that the Clerk of the Court be directed to enter a final judgment  
3 in favor of Plaintiff, and against Defendant, Commissioner of Social Security, reversing the final  
4 decision of the Commissioner. Nothing in this proposed order shall be taken to affect Plaintiff's  
5 right to request Equal Access to Justice Act (EAJA) attorney's fees under 28 U.S.C. § 2412, or  
6 costs under 28 U.S.C. § 1920, or to prevent Defendant from opposing any such requests.

7 Respectfully submitted,

8 Dated: June 21, 2011

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

10  
11 Date: June 21, 2011

BENJAMIN B. WAGNER  
United States Attorney

12  
13 By s/ Daniel P. Talbert  
DANIEL P. TALBERT  
Special Assistant U. S. Attorney

14  
15 Attorneys for Defendant

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18 ORDER

19 APPROVED AND SO ORDERED.

20  
21 DATED: June 21, 2011.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE