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10 Attorneys for Defendant

11 UNITED STATES DISTRICT COURT
 12 EASTERN DISTRICT OF CALIFORNIA
 13
 14 **SACRAMENTO DIVISION**

15 JAMES M. WOODY,)	Case No.: 2:10-cv-02476-CMK
Plaintiff,)	
16 v.)	STIPULATION AND ORDER FOR
17 MICHAEL J. ASTRUE,)	REMAND PURSUANT TO SENTENCE FOUR OF
Commissioner of Social Security,)	42 U.S.C. § 405(g), AND REQUEST FOR ENTRY
18 Defendant.)	OF JUDGMENT IN FAVOR OF PLAINTIFF AND
)	AGAINST DEFENDANT

19
 20 IT IS HEREBY STIPULATED, by and between the parties, through their respective
 21 counsel of record, that this action be remanded to the Commissioner of Social Security for further
 22 administrative action pursuant to section 205(g) of the Social Security Act, as amended, 42 U.S.C.
 23 § 405(g), sentence four.

24 On remand, the Appeals Council will instruct the Administrative Law Judge (ALJ) to
 25 consider the opinion of Dr. Owen regarding Plaintiff's IQ score and functional limitations and
 26 provide his rationale for the weight accorded to that opinion. The ALJ shall also consider the IQ
 27 score assessed by the medical expert and reevaluate whether Plaintiff meets or equals a listing in

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1 light of these opinions. If the ALJ finds Plaintiff does not meet or equal a listing, he shall
2 reconsider Plaintiff's residual functional capacity.

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

6
7 Respectfully submitted,

8 Date: November 23, 2011

/s/ Bess M. Brewer

(As authorized by email on 11/22/11 at 7:00 a.m.)

9 BESS M. BREWER

10 Attorney for Plaintiff

11 Date: November 23, 2011

BENJAMIN B. WAGNER

12 United States Attorney

DONNA L. CALVERT

13 Acting Regional Chief Counsel, Region IX

14 Social Security Administration

15 By /s/ Lynn M. Harada

LYNN M. HARADA


16 Special Assistant U.S. Attorney

17 Attorneys for Defendant

18 ORDER

19
20 APPROVED AND SO ORDERED:

21
22 DATED: December 1, 2011

23 

24 **CRAIG M. KELLISON**

25 UNITED STATES MAGISTRATE JUDGE