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8 Attorneys for Defendant

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

12 DIANA L. WEST, )  
 13 Plaintiff, )  
 14 v. )  
 15 MICHAEL J. ASTRUE, )  
 16 Commissioner of )  
 Social Security, )  
 17 Defendant. )  
 18 \_\_\_\_\_ )

CIVIL NO. 1:07-CV-01049 TAG

AMENDED STIPULATION AND  
 ORDER OF VOLUNTARY REMAND AND  
 DISMISSAL OF CASE, WITH DIRECTIONS  
 TO CLERK TO ENTER JUDGMENT FOR  
 PLAINTIFF PURSUANT TO 42 U.S.C.  
 § 405(g), SENTENCE FOUR

19 IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and with the  
 20 approval of the Court as provided below, that the Commissioner has agreed to a voluntary remand of this  
 21 case pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings.

22 Upon remand, Plaintiff will be offered the opportunity for a new hearing before the  
 23 administrative law judge (“ALJ”) and a new decision. The record will be updated and Plaintiff may  
 24 offer such new evidence as she desires. The ALJ shall obtain supplemental vocational expert testimony  
 25 to assist in determining what jobs may exist in significant numbers for Plaintiff, given her age,  
 26 education, vocational factors and residual functional capacity.

27 It is further stipulated that the administrative decision shall be vacated and that the Clerk of this  
 28 Court shall be directed to enter a separate, final judgment in favor of Plaintiff and against Defendant,

1 reversing the decision of the Commissioner, as provided for under Rules 58 and 79(a) of the Federal  
2 Rules of Civil Procedure, pursuant to Shalala v. Schaefer, 509 U.S. 292, 113 S. Ct. 2625 (1993).

3 Respectfully submitted,

4 Dated: February 3, 2009.

/s/ Stuart Barasch  
(As authorized via facsimile)  
STUART BARASCH  
Attorney for Plaintiff

7 Dated: February 3, 2009.

8 McGREGOR W. SCOTT  
United States Attorney  
LUCILLE GONZALES MEIS  
Regional Chief Counsel, Region IX  
9 Social Security Administration

10 /s/ Sarah Ryan  
11 SARAH RYAN  
Special Assistant U.S. Attorney  
12 Attorneys for Defendant

14 IT IS SO ORDERED.

15 Dated: February 4, 2009

/s/ Theresa A. Goldner  
16 UNITED STATES MAGISTRATE JUDGE