

1 LAWRENCE G. BROWN
 Acting United States Attorney
 2 LUCILLE GONZALES MEIS
 Regional Chief Counsel, Region IX
 3 Social Security Administration
 DONNA WADE ANDERSON
 4 Assistant Regional Counsel
 Special Assistant United States Attorney

5 333 Market Street, Suite 1500
 6 San Francisco, California 94105
 Telephone: (415) 977-8930
 7 Facsimile: (415) 744-0134
 E-Mail: Donna.W.Anderson@ssa.gov

8 Attorneys for Defendant

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

13 FRANK DONEZ,

14 Plaintiff,

15 v.

16 MICHAEL J. ASTRUE,
 Commissioner of
 17 Social Security,

18 Defendant.

19)
 20) CIVIL NO. 1:08-CV-00956 GSA
 21)
 22) STIPULATION FOR REMAND TO
 THE COMMISSIONER;
 [PROPOSED] ORDER FOR
 REMAND

23 TO ALL PARTIES, THEIR ATTORNEYS OF RECORD, AND THE
 24 HONORABLE GARY S. AUSTIN, MAGISTRATE JUDGE OF THE DISTRICT
 25 COURT:

26 The parties, by and through their respective counsel, hereby stipulate to
 27 remand the above-captioned matter, pursuant to sentence four of Section 205(g) of
 28 the Social Security Act, 42 U.S.C. § 405(g), for further administrative
 proceedings. On remand, the Commissioner will direct an administrative law
 judge to update the record, consider whether Plaintiff meets or equals the required
 findings of Listing 12.05(c) of the Listings of Impairments, Appendix 1, Subpart

1 P, Part 404, 20 C.F.R.; and if not, to proceed to the sequential evaluation process,
2 as necessary.

3 Respectfully submitted,

4 Dated: July 7, 2009

5 /s/ Laura Lackey-Krank
6 LAURA LACKEY-KRANK
7 Attorney for Plaintiff
8 (Concurrence by email)

9 Dated: July 7, 2009

10 LAWRENCE G. BROWN
11 Acting United States Attorney
12 LUCILLE GONZALES MEIS
13 Regional Chief Counsel, Region IX
14 Social Security Administration

15 /s/ Donna W. Anderson
16 DONNA W. ANDERSON
17 Assistant Regional Counsel
18 Special Assistant United States Attorney

19 Attorneys for Defendant
20 Michael J. Astrue, Commissioner
21 Social Security Administration

22 IT IS SO ORDERED.

23 Dated: July 8, 2009

24 /s/ Gary S. Austin
25 UNITED STATES MAGISTRATE JUDGE
26
27
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