

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

GRACE CHA,

1:08cv1216 DLB

Plaintiff,

ORDER GRANTING STIPULATION
FOR REMAND

vs.

(Document 15)

MICHAEL J. ASTRUE, Commissioner,

Defendant.

On April 23, 2009, the parties submitted a stipulation that the action be remanded to the Commissioner of Social Security for further administrative action pursuant to sentence four of section 205(g) of the Social Security Act, as amended, 42 U.S.C. § 405(g).

The stipulation to remand is GRANTED and the action is REMANDED to the Commissioner. The Clerk is ordered to ENTER JUDGMENT IN FAVOR of Plaintiff Grace Cha and against Defendant Michael J. Astrue.

On remand, the Appeals Counsel shall instruct the Administrative Law Judge to (1) offer Plaintiff a new hearing and the opportunity to present new evidence; (2) address the opinions of Luyen T. Luu, M.D., in his April 2006 report and his other reports, and provide reasons for rejecting

1 Dr. Luu's opinions if he does not accept them; (3) reevaluate Plaintiff's subjective complaints and
2 the testimony of Plaintiff's father, and give reasons if they are rejected; and (4) consider whether
3 Plaintiff was disabled for a period prior to 2007.

4
5 IT IS SO ORDERED.

6 **Dated: April 23, 2009**

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE