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8 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT  
 10 EASTERN DISTRICT OF CALIFORNIA

11 SHELLEY HAWORTH, )  
 )  
 12 Plaintiff, )  
 )  
 13 v. )  
 )  
 14 MICHAEL J. ASTRUE, )  
 Commissioner of )  
 15 Social Security, )  
 )  
 16 Defendant. )

CIVIL NO. 1:08-CV-01276 DLB

STIPULATION AND ORDER OF  
 VOLUNTARY REMAND AND DISMISSAL  
 OF CASE, WITH DIRECTIONS TO CLERK  
 TO ENTER JUDGMENT

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

20 Upon remand, the Appeals Council will issue a decision finding Plaintiff disabled pursuant to  
 21 Rule 201.14 of the Medical-Vocational Guidelines as of September 10, 2004, the day she is considered  
 22 to have attained age 50. 20 C.F.R. § 401.2(c)(4) (individual attains a given age the day before her  
 23 birthday). The Appeals Council will then remand the case to an Administrative Law Judge (ALJ) for  
 24 further consideration of the period prior to September 10, 2004, which must include an evaluation of the  
 25 opinions of Saad Hijazi, M.D.

26 ///  
 27 ///  
 28 ///

1 It is further stipulated that the administrative decision is hereby vacated and that the Clerk of this  
2 Court shall be directed to enter a separate judgment herein, as provided for under Rules 58 and 79(a) of  
3 the Federal Rules of Civil Procedure, pursuant to Shalala v. Schaefer, 509 U.S. 292, 113 S. Ct. 2625  
4 (1993).

5 Respectfully submitted,

6 Dated: October 2, 2009

/s/ Sengthiene Bosavanh  
(As authorized via email)  
SENGTHIENE BOSAVANH  
attorney for Plaintiff

8  
9 Dated: October 2, 2009

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12  
13 /s/ Elizabeth Firer  
ELIZABETH FIRER  
Special Assistant U.S. Attorney

14 Attorneys for Defendant

15  
16  
17 ORDER

18 IT IS SO ORDERED.

19 Dated: October 7, 2009

/s/ Anthony W. Ishii  
CHIEF UNITED STATES DISTRICT JUDGE