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8 Attorneys for Defendant,
 9 Commissioner of Social Security

10 UNITED STATES DISTRICT COURT
 11 EASTERN DISTRICT OF CALIFORNIA

12
 13 DANIEL KEITH CLARK, JR.,)
)
 14)
 Plaintiff,)
)
 15)
 v.)
)
 16)
 MICHAEL J. ASTRUE,)
 Commissioner of Social Security,)
)
 17)
)
 18)
 Defendant.)
 19)
 _____)

No. CV-08-CV-01300 LJO DLB

**STIPULATION TO VOLUNTARY
 REMAND PURSUANT TO SENTENCE
 FOUR OF 42 U.S.C. § 405(g) AND TO
 ENTRY OF JUDGMENT**

**Court: Hon. Dennis L. Beck
 U.S. Magistrate Judge**

20 **IT IS STIPULATED** by and between plaintiff Daniel Keith Clark, Jr., (“Plaintiff”) and
 21 defendant Michael J. Astrue, Commissioner of Social Security (“Defendant”), through their
 22 undersigned counsel of record, that the above-entitled action shall be remanded to the Commissioner
 23 of Social Security for further administrative proceedings.

24 Upon remand, the Administrative Law Judge (ALJ) will be directed to find that Plaintiff
 25 suffered from a severe mental impairment. The ALJ will proceed with the sequential evaluation
 26 process. If warranted, the ALJ will determine whether drug use is a contributing factor material to a
 27 finding of disability pursuant to 20 C.F.R. § 416.935 (2008); and, if necessary, obtain supplemental
 28

1 evidence from a vocational expert at step 5 of the sequential evaluation. The ALJ will also address
2 the mental limitations assessed by the state agency physician. This stipulation constitutes a remand
3 under the fourth sentence of Section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

4
5 DATED: 9/1/09

ROBERT ISHIKAWA

6
7 By: /s/ Robert Ishikawa*

8 *By email authorization on 8/28/09

9 DATED: 9/1/09

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LUCILLE GONZALES MEIS
Regional Chief Counsel, Region IX
Social Security Administration

12 By: /s/ Ann L. Maley

13 ANN L. MALEY

14 Special Assistant United States Attorney

15 Attorneys for Defendant

16 ORDER

17
18 APPROVED AND SO ORDERED.

19 IT IS SO ORDERED.

20 Dated: September 2, 2009

/s/ Lawrence J. O'Neill
21 UNITED STATES DISTRICT JUDGE