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Attorneys for Defendant

UNITED STATES DISTRICT COURT  
 EASTERN DISTRICT OF CALIFORNIA  
 FRESNO DIVISION

DONALD SHINN,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
 Commissioner of  
 Social Security,

Defendant.

CIVIL NO. 1:08-CV-01644-SMS

STIPULATION TO REOPEN FOR THE  
 PURPOSE OF ENTERING JUDGMENT  
 AND

ORDER ENTERING JUDGMENT IN  
 FAVOR OF PLAINTIFF AND AGAINST  
 DEFENDANT

STIPULATION

IT IS HEREBY STIPULATED, by and between the parties, through their respective counsel of record, that this action be reopened for the purpose of entering judgment for Plaintiff. The Court had ordered this case remanded pursuant to sentence six of 42 U.S.C. § 405(g), so that Defendant could either locate the recording of the administrative hearing or, in the alternative, conduct a new hearing on the application for benefits at issue in the instant case [Docket No. 12]. On remand, a new hearing was held, and Defendant ultimately found Plaintiff to be disabled (see attached ALJ's decision).

Respectfully submitted,

Dated: August 18, 2010

/s/ Laura Krank  
(As authorized via e-mail)  
LAURA KRANK  
Attorney for Plaintiff  
BENJAMIN B. WAGNER  
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LUCILLE GONZALES MEIS  
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Dated: September 2, 2010

/s/ Leo R. Montenegro  
LEO R. MONTENEGRO  
Special Assistant U.S. Attorney

ORDER

IT IS HEREBY ORDERED, pursuant to the parties' stipulation, that this case is reopened for the purpose of entering judgment for Plaintiff. The Court will issue a separate judgment.

IT IS SO ORDERED.

Dated: September 8, 2010

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE