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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

DONALD SHINN, ) CIVIL NO. 1:08-CV-01644-SMS  
Plaintiff, )  
v. )  
MICHAEL J. ASTRUE, )  
Commissioner of )  
Social Security, )  
Defendant. )  
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).

1  
2 Dated: August 18, 2010

Respectfully submitted,

/s/ Laura Krank  
(As authorized via e-mail)  
LAURA KRANK  
Attorney for Plaintiff  
BENJAMIN B. WAGNER  
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Chief Counsel, Region IX  
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4 Dated: September 2, 2010

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

10 ORDER

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

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16 IT IS SO ORDERED.

17 Dated: September 8, 2010

18 /s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE