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9 Attorneys for Defendant Commissioner of Social Security

10 UNITED STATES DISTRICT COURT
 11 EASTERN DISTRICT OF CALIFORNIA
 12 **FRESNO DIVISION**

13
 14 ALICIA G. LEBUS,)
 15 Plaintiff,)
 16 v.)
 17 MICHAEL J. ASTRUE,)
 18 Commissioner of Social Security,)
 19 Defendant.)
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CIVIL NO. 09-cv-00448-GSA

STIPULATION AND ORDER FOR
 SENTENCE FOUR REMAND

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1 The parties have agreed to a voluntary remand of this case pursuant to sentence four of 42 U.S.C.
2 § 405(g). Upon remand, the Appeals Council will instruct the Administrative Law Judge to do the
3 following:

- 4 (1) Conduct a new hearing, further develop the record and issue a new decision;
- 5 (2) Address the medical opinions, giving appropriate weight to the opinions of the treating
6 physicians where warranted;
- 7 (3) Provide a residual functional capacity finding consistent with all evidence of record;
- 8 (4) Reassess the claimant's credibility; and
- 9 (5) Obtain new vocational expert testimony.

10 Respectfully submitted,

11 /s/ Harvey Peter Sackett *

12 HARVEY PETER SACKETT

13 Plaintiff's Attorney

14 * by Armand Roth by email authorization of 1/5/2010

15 BENJAMIN B. WAGNER

16 United States Attorney

17 LUCILLE GONZALES MEIS

18 Regional Chief Counsel, Region IX

19 Social Security Administration

20 Dated: February 8, 2010

21 /s/ Armand D. Roth

22 ARMAND D. ROTH

23 Special Assistant U.S. Attorney

24 Attorneys for Defendant

25 ORDER

26 Upon review, the stipulation to remand is GRANTED and the action is REMANDED to the
27 Commissioner. The Clerk is ordered to ENTER JUDGMENT IN FAVOR of Plaintiff Alicia Lebus and
28 against Defendant Michael J. Astrue. Upon remand, the Appeals Council will instruct the
Administrative Law Judge to do the following:

- 29 (1) Conduct a new hearing, further develop the record and issue a new decision;
- 30 (2) Address the medical opinions, giving appropriate weight to the opinions of the treating
31 physicians where warranted;
- 32 (3) Provide a residual functional capacity finding consistent with all evidence of record;

- 1 (4) Reassess the claimant's credibility; and
2 (5) Obtain new vocational expert testimony.

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5 IT IS SO ORDERED.

6 **Dated: February 8, 2010**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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