

1 BENJAMIN B. WAGNER
 2 United States Attorney
 3 LUCILLE GONZALES MEIS
 4 Regional Chief Counsel, Region IX
 5 Social Security Administration
 6 DANIEL P. TALBERT
 7 Special Assistant United States Attorney
 8 333 Market Street, Suite 1500
 9 San Francisco, California 94105
 10 Telephone: (415) 977-8926
 11 Facsimile: (415) 744-0134
 12 E-Mail: Daniel.Talbert@ssa.gov

13 Attorneys for Defendant

14 UNITED STATES DISTRICT COURT
 15 EASTERN DISTRICT OF CALIFORNIA
 16 FRESNO DIVISION

17 FERNANDO MEDINA-HERRERA,)	Case No. 1:09-CV-01769-DLB
18 Plaintiff,)	
19 v.)	STIPULATION AND ORDER FOR
20 MICHAEL J. ASTRUE,)	REMAND PURSUANT TO SENTENCE FOUR OF
21 Commissioner of Social Security,)	42 U.S.C. § 405(g), AND REQUEST FOR ENTRY
22 Defendant.)	OF JUDGMENT IN FAVOR OF PLAINTIFF AND
23)	AGAINST DEFENDANT

24 IT IS HEREBY STIPULATED, by and between the parties, through their respective
 25 counsel of record, that this action be remanded to the Commissioner of Social Security for a
 26 finding of disability and payment of benefits. The Appeals Council has agreed to issue a fully
 27 favorable decision finding Plaintiff disabled beginning January 14, 2006, the alleged onset of
 28 disability.

1 The parties further request that the Clerk of the Court be directed to enter a final judgment
2 in favor of Plaintiff, and against Defendant, Commissioner of Social Security, reversing the final
3 decision of the Commissioner. Nothing in this order shall be taken to affect Plaintiff's right to
4 request Equal Access to Justice Act (EAJA) attorney's fees under 28 U.S.C. § 2412, or costs
5 under 28 U.S.C. § 1920, or to prevent Defendant from opposing any such requests.
6
7
8

9 Respectfully submitted,

10 Dated: September 29, 2010

s/ Sengthiene Bosavanh
(As authorized by email)
SENGTHIENE BOSAVANH
Attorney for Plaintiff

13 Date: September 29, 2010

BENJAMIN B. WAGNER
United States Attorney

15 By s/ Daniel P. Talbert
DANIEL P. TALBERT
Special Assistant U. S. Attorney

18 Attorneys for Defendant

19 IT IS SO ORDERED.

21 Dated: September 29, 2010

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE