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11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA

13
14 SHANDA DAVIS,) Case No.: 1:13-cv-00454-GSA
15 Plaintiff,)
16 v.) **ORDER AND STIPULATION TO**
17 CAROLYN W. COLVIN,) **VOLUNTARY REMAND PURSUANT TO**
18 Acting Commissioner of Social Security,) **SENTENCE FOUR OF 42 U.S.C.**
19 Defendant.) **§ 405(g) AND TO ENTRY OF JUDGMENT**
20)

21 IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and
22 with the approval of the Court, that the Commissioner has agreed to a voluntary remand of this
23 case for further administrative proceedings, pursuant to *sentence four* of 42 U.S.C. § 405(g).

24 Upon remand, the Appeals Council will instruct the Administrative Law Judge to further
25 evaluate whether the claimant can perform the physical and mental demands of her past relevant
26 work as she actually performed this work or as generally performed in the national economy. If
27 testimony of a VE is required, the ALJ must ensure either that the VE's testimony is consistent
28 with the DOT, or that there is an explanation for any inconsistency.

1 As noted, this stipulation constitutes a remand under the *fourth sentence* of Section
2 205(g) of the Social Security Act. 42 U.S.C. § 405(g).

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4 Respectfully submitted,

5 Date: December 10, 2013

6 By: /s/ Steven Rosales

7
8 *Authorized by email on 12/10/13
Attorneys for Plaintiff

9 Date: December 5, 2013

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13 By: /s/ Patrick William Snyder
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17 **ORDER**

18 The Court adopts the parties' stipulation. Accordingly, the matter is remanded pursuant
19 to Sentence Four for further proceedings as outlined above.

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23 IT IS SO ORDERED.

24 Dated: December 23, 2013

/s/ Gary S. Austin
25 UNITED STATES MAGISTRATE JUDGE