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10 **UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF CALIFORNIA**

13 PAUL DEAN STUCK,) Case No.: 1:13-CV-01615-BAM
14 Plaintiff,)
15 vs.) STIPULATION AND PROPOSED ORDER
16 CAROLYN W. COLVIN,) FOR REMAND PURSUANT TO
Acting Commissioner of Social Security,) SENTENCE FOUR OF 42 U.S.C. § 405(g),
17) AND REQUEST FOR ENTRY OF
18 Defendant.) JUDGMENT IN FAVOR OF PLAINTIFF
AND AGAINST DEFENDANT

19
20 IT IS HEREBY STIPULATED, by and between the parties, through their respective
21 counsel of record and with the approval of the Court, that this action be remanded to the
22 Commissioner of Social Security for further administrative proceedings pursuant to *sentence*
23 *four* of 42 U.S.C. § 405(g).
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25 Upon remand, the Appeals Council will instruct the Administrative Law Judge (ALJ) to
26 further evaluate the medical source opinions of record, including the opinions of consultative
27 examining psychologist, Kimball Hawkins, Ph.D., and non-examining State agency
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1 psychologist, Preston Davis, Psy.D. If the ALJ chooses to reject these opinions in whole or in
2 part, the ALJ should explain his rationale. The ALJ should also further evaluate Plaintiff's
3 credibility regarding his reported symptoms.

4 Respectfully submitted,

5 Dated: May 27, 2014

6 /s/ Lynn M. Harada for Lawrence D. Rohlfing*
7 (*as authorized via email on 5/23/14)
8 LAWRENCE D. ROHLFING
9 Attorney for Plaintiff

10 Dated: May 27, 2014

11 BENJAMIN B. WAGNER
12 United States Attorney
13 DONNA L. CALVERT
14 Acting Regional Chief Counsel, Region IX
15 Social Security Administration

16 By: /s/ Lynn M. Harada
17 LYNN M. HARADA
18 Special Assistant U.S. Attorney
19 Attorneys for Defendant

20 ORDER

21 Based on the Stipulation of the parties, this action is hereby remanded to the
22 Commissioner of Social Security for further administrative proceedings pursuant to *sentence*
23 *four* of 42 U.S.C. § 405(g).

24 Upon remand, the Appeals Council will instruct the Administrative Law Judge (ALJ) to
25 further evaluate the medical source opinions of record, including the opinions of consultative
26 examining psychologist, Kimball Hawkins, Ph.D., and non-examining State agency
27 psychologist, Preston Davis, Psy.D. If the ALJ chooses to reject these opinions in whole or in
28

1 part, the ALJ should explain his rationale. The ALJ should also further evaluate Plaintiff's
2 credibility regarding his reported symptoms.

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4 IT IS SO ORDERED.

5 Dated: June 2, 2014

6 /s/ Barbara A. McAuliffe
7 UNITED STATES MAGISTRATE JUDGE
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