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12 **UNITED STATES DISTRICT COURT**
13 **EASTERN DISTRICT OF CALIFORNIA**
14 **FRESNO DIVISION**

15 MAXIMINO LOPEZ HERRERA,) No. 1:16-cv-01458-EPG
16)
17 Plaintiff,) **STIPULATION FOR VOLUNTARY**
18 v.) **REMAND PURSUANT TO SENTENCE**
19) **FOUR OF 42 U.S.C. § 405(g) AND FOR**
20) **ENTRY OF JUDGMENT**
21 NANCY A. BERRYILL,)
Acting Commissioner of Social Security,)
22 Defendant.)
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24 IT IS HEREBY STIPULATED, by and between Maximino Lopez Herrera (Plaintiff) and
25 Nancy A. Berryhill, Acting Commissioner of Social Security (the Commissioner or Defendant),
26 through their respective counsel of record, that this action be remanded for further administrative
27 action pursuant to section 205(g) of the Social Security Act, as amended, 42 U.S.C. section
28 405(g), sentence four. On remand, the Commissioner will conduct any necessary further

1 proceedings including developing additional evidence, and issue a new decision in compliance
2 with the regulations and with evidentiary support for the findings.

3 The parties further request that the Clerk of the Court be directed to enter a final
4 judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the
5 Commissioner.

6 DATE: August 25, 2017

Respectfully submitted,

7 PHILLIP A. TALBERT
8 Acting United States Attorney

9 /s/ Elizabeth Firer
10 ELIZABETH FIRER
Special Assistant United States Attorney

11 DATE: August 25, 2017

Respectfully submitted,

12 s/ Melissa Newel
13 MELISSA NEWEL
14 Attorney for Plaintiff
15 *per email authorization on August 25, 2017
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