

1 MCGREGOR W. SCOTT
United States Attorney
2 DEBORAH LEE STACHEL
Regional Chief Counsel, Region IX
Social Security Administration
3 JENNIFER A. KENNEY
Special Assistant United States Attorney
4 160 Spear Street, Suite 800
5 San Francisco, California 94105
6 Telephone: (415) 977-8945
7 Facsimile: (415) 744-0134
8 E-Mail: Jennifer.A.Kenney@SSA.gov

9 Attorneys for Defendant

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

12 OLGA ORDAZ,) Case No.: 1:17-CV-01141-BAM
13)
14 Plaintiff,) STIPULATION TO VOLUNTARY
15 vs.) REMAND PURSUANT TO SENTENCE
16) FOUR OF 42 U.S.C. § 405(g) AND TO
17) ENTRY OF JUDGMENT FOR PLAINTIFF
18)
19)
20)
21)
22)
23)
24)
25)
26)
27)
28)
29)

30 IT IS HEREBY STIPULATED, by the parties, through their respective counsel of record,
31 that this action be remanded for further administrative action pursuant to section 205(g) of the
32 Social Security Act, as amended, 42 U.S.C. section 405(g), sentence four.

33 On remand, the Appeals Council will remand the case to an administrative law judge
34 (ALJ) for a new decision. The Appeals Council will instruct the ALJ to obtain medical and
35 psychological expert evidence regarding the nature and severity of, and potential limitations
36 resulting from, Plaintiff's impairments during the period at issue. The Appeals Council will
37 instruct the ALJ to reassess Plaintiff's subjective statements about her symptoms. The Appeals
38 Council will also instruct the ALJ to reassess Plaintiff's subjective statements about her symptoms.

1 Council will instruct the ALJ to further evaluate whether Plaintiff has the residual functional
2 capacity to perform her past relevant work and, if appropriate, obtain supplemental vocational
3 expert testimony to assist in determining what jobs exist, if any, for Plaintiff given her age,
4 education, vocational factors and residual functional capacity. The Appeals Council will instruct
5 the ALJ to take further action, as warranted, to complete the administrative record and resolve
6 the above issues.
7

8 The parties further request that the Clerk of the Court be directed to enter a final
9 judgment in favor of Plaintiff, and against Defendant, reversing the final decision of
10 the Commissioner.
11

12 Respectfully submitted,

13
14 Dated: July 20, 2018

/s/ *Melissa Newel
(*as authorized by email on Jul. 20, 2018)
MELISSA NEWEL
Attorney for Plaintiff

15
16
17 Dated: July 20, 2018

MCGREGOR W. SCOTT
United States Attorney
DEBORAH LEE STACHEL
Regional Chief Counsel, Region IX,
Social Security Administration

18
19
20
21 By: /s/ Jennifer A. Kenney
JENNIFER A. KENNEY
Special Assistant U.S. Attorney
Attorneys for Defendant
22
23
24

25 **ORDER**

26 Pursuant to the stipulation of the parties, IT IS HEREBY ORDERED that this action be
27 remanded to the Commissioner of Social Security for further administrative action consistent
28

///

1 with the above stipulation. The Clerk of the Court is directed to enter a final judgment in favor
2 of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.
3

4
5 IT IS SO ORDERED.

6 Dated: August 15, 2019

/s/ Barbara A. McAuliffe
7 UNITED STATES MAGISTRATE JUDGE
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28