

1 McGREGOR W. SCOTT
United States Attorney
2 DEBORAH LEE STACHEL
Regional Chief Counsel, Region IX
3 Social Security Administration
4 MARCELO ILLARMO (MABN 670079)
Special Assistant United States Attorney
5 160 Spear Street, Suite 800
San Francisco, California 94105
6 Telephone: (415) 977-8944
7 Facsimile: (415) 744-0134
E-Mail: Marcelo.Illarmo@ssa.gov
8

9 Attorneys for Defendant

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

12) Case No.: 1:17-cv-01382-SKO
13 MICHAEL DEAN COLEMAN,)
14) STIPULATION FOR VOLUNTARY
Plaintiff,) REMAND PURSUANT TO SENTENCE
15) FOUR OF 42 U.S.C. § 405(g)
v.) (Doc. 12)
16)
17 NANCY A. BERRYHILL,)
Acting Commissioner of Social Security)
18 Defendant.)
19)

20
21 IT IS HEREBY STIPULATED, by and between the parties, through their
22 undersigned attorneys, and with the approval of the Court, that the Commissioner of Social
23 Security has agreed to a voluntary remand of this case pursuant to sentence four of 42 U.S.C. §
24 405(g). The purpose of the remand is to offer Plaintiff a new decision.

25 On remand, the Commissioner will reconsider the opinion evidence, including the
26 opinion of the consultative examiner, Dale Van Kirk, M.D.; conduct any necessary further
27 proceedings; and issue a new decision. The parties further request that the Clerk of the Court be
28

Stip. For Voluntary Remand; Order

1 directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final
2 decision of the Commissioner.

3
4
5
6 Respectfully submitted,

7 Dated: April 26, 2018

/s/ Jacqueline Forslund*
(*as authorized via e-mail on 4/25/18)
JACQUELINE A. FORSLUND
Attorney for Plaintiff

10 Dated: April 26, 2018

11 MCGREGOR W. SCOTT
12 United States Attorney
13 DEBORAH LEE STACHEL
14 Regional Chief Counsel, Region IX
15 Social Security Administration

16 By: /s/ Marcelo Illarmo
17 MARCELO ILLARMO
18 Special Assistant United States Attorney
19 Attorneys for Defendant

20 **ORDER**

21 Based upon the parties' above Stipulation to Voluntary Remand Pursuant to Sentence
22 Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand") (Doc. 12), and
23 for cause shown, IT IS HEREBY ORDERED that the above-captioned action is REMANDED to
24 the Commissioner of Social Security for further proceedings consistent with the terms of the
25 Stipulation to Remand.

26 The Clerk of the Court is hereby DIRECTED to (1) enter judgment in favor of Plaintiff
27 Michael Dean Coleman and against Defendant Nancy A. Berryhill, Acting Commissioner of
28 Social Security, and (2) administratively close this file.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS SO ORDERED.

Dated: April 30, 2018

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE