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

12 LACOLE SPAULDING, on behalf of N.D.J., )  
a minor, )  
13 Plaintiff, )  
14 vs. )  
15 NANCY A. BERRYHILL, )  
16 Acting Commissioner of Social Security, )  
17 Defendant. )

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Case No. 1:18-cv-00325-GSA  
STIPULATION & ORDER TO REMAND  
PURSUANT TO SENTENCE FOUR OF 42  
U.S.C. § 405(g)

19 IT IS HEREBY STIPULATED, by and between Plaintiff and Defendant, through their  
20 respective counsel of record, that this action be remanded for further administrative action  
21 pursuant to section 205(g) of the Social Security Act, as amended, 42 U.S.C. section 405(g),  
22 sentence four.

23 On remand, the Appeals Council will remand the case to an administrative law judge  
24 (ALJ) for a new decision. The Appeals Council will instruct the ALJ to further develop the  
25 record in accordance with Acquiescence Ruling 04-1(9). The Appeals Council will instruct the  
26 ALJ to take further action, as warranted, to complete the administrative record and resolve the  
27 above issues.  
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1 The parties further request that the Clerk of the Court be directed to enter a final  
2 judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the  
3 Commissioner.

4 Respectfully submitted,

5 Dated: October 25, 2018

DRAKE & DRAKE PC

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7 By: /s/ Roger Drake\*

ROGER DRAKE

Attorneys for Plaintiff

[\*As authorized by e-mail on Oct. 24, 2018]

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9  
10 Dated: October 25, 2018

MCGREGOR W. SCOTT

United States Attorney

DEBORAH LEE STACHEL

Regional Chief Counsel, Region IX

Social Security Administration

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15 By: /s/ Margaret Branick-Abilla

MARGARET BRANICK-ABILLA

Special Assistant United States Attorney

Attorneys for Defendant

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20 IT IS SO ORDERED.

21 Dated: October 25, 2018

/s/ Gary S. Austin

UNITED STATES MAGISTRATE JUDGE