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

13)
14 JOHNNY PADILLA NAJERA,)

15 Plaintiff,)

16 vs.)

17 ANDREW SAUL,)
18 Commissioner of Social Security,)

19 Defendant.)
20)
21)

) Case No. 1:18-cv-01629-EPG

) **STIPULATION TO VOLUNTARY**
) **REMAND PURSUANT TO SENTENCE**
) **FOUR OF 42 U.S.C. § 405(g) AND TO**
) **ENTRY OF JUDGMENT FOR**
) **PLAINTIFF; ORDER**

22 IT IS HEREBY STIPULATED by and between the parties, through their undersigned
23 attorneys, that this action be remanded for further administrative action pursuant to the Social
24 Security Act § 205(g), as amended, 42 U.S.C. § 405(g), sentence four.

25 On remand, the Appeals Council will remand the case to an administrative law judge
26 (ALJ) for a new decision.
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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 9, 2019

PENA & BROMBERG, PLC

6 /s/ Jonathan O. Peña*
7 (*as authorized via email on October 9, 2019)
8 JONATHAN O. PENA, ESQ.
Attorney for Plaintiff

9 Dated: October 10, 2019

10 MCGREGOR SCOTT
11 United States Attorney
12 DEBORAH LEE STACHEL
Regional Chief Counsel, Region IX
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13 By: /s/ Allison J. Cheung
14 ALLISON J. CHEUNG
15 Special Assistant U.S. Attorney
16 Attorneys for Defendant
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ORDER

Pursuant to the above Stipulation, and for good cause shown, **IT IS ORDERED** that the above-captioned action be remanded to the Commissioner of Social Security for further proceedings consistent with the terms of the Stipulation. **IT IS FURTHER ORDERED** that the Clerk of Court is directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

IT IS SO ORDERED.

Dated: October 10, 2019

/s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE

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