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8 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA
11 SACRAMENTO DIVISION

12 CATHERINE MARY RIGGS,

13 Plaintiff,

14 v.

15 MICHAEL J. ASTRUE,
16 Commissioner of
17 Social Security,

18 Defendant.

CIVIL NO. 2:08-CV-1442 (EFB)

STIPULATION AND ORDER OF
VOLUNTARY REMAND AND DISMISSAL
OF CASE, WITH DIRECTIONS TO CLERK
TO ENTER JUDGMENT

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21 IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and with the
22 approval of the Court as provided below, that the Commissioner has agreed to a voluntary remand of
23 this case pursuant to sentence four of 42 U.S.C. § 405(g).

24 Upon remand, the Administrative Law Judge will be directed to: update the record and offer
25 Plaintiff an opportunity for a new hearing; properly consider the record, including the opinion of Phyllis
26 Thurstone, M.D., and Plaintiff's psychiatric records; and properly consider Plaintiff's subjective
27 complaints and the statement of Sheryl Mallory.
28

1 It is further stipulated that the administrative decision is hereby vacated and that the Clerk of this
2 Court shall be directed to enter a separate judgment herein, as provided for under Rules 58 and 79(a) of
3 the Federal Rules of Civil Procedure, pursuant to Shalala v. Schaefer, 509 U.S. 292, 113 S. Ct. 2625
4 (1993).

5 Respectfully submitted,

6 Dated: January 21, 2009

/s/Henry Reynolds
(As authorized via email on 01/21/09)
HENRY REYNOLDS
Attorney for Plaintiff

9 Dated: January 27, 2009

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/s/Jacqueline A. Forslund
JACQUELINE A. FORSLUND
Special Assistant U.S. Attorney

Attorneys for Defendant

16 ORDER

17 APPROVED AND SO ORDERED.

19 DATED: January 28, 2009.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE