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Attorneys for Defendant

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

CATHERINE MARY RIGGS,)
Plaintiff,)
v.)
MICHAEL J. ASTRUE,)
Commissioner of)
Social Security,)
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

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

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

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
7 (As authorized via email on 01/21/09)
HENRY REYNOLDS
8 Attorney for Plaintiff

9 Dated: January 27, 2009

10 MC GREGOR W. SCOTT
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11 LUCILLE GONZALES MEIS
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12 */s/Jacqueline A. Forslund*
13 JACQUELINE A. FORSLUND
14 Special Assistant U.S. Attorney

15 Attorneys for Defendant

16 ORDER

17 APPROVED AND SO ORDERED.

18 DATED: January 28, 2009.

19 
20 EDMUND F. BRENNAN
21 UNITED STATES MAGISTRATE JUDGE