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 Commissioner of Social Security

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UNITED STATES DISTRICT COURT

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EASTERN DISTRICT OF CALIFORNIA

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SACRAMENTO DIVISION

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DEBORAH CROFT, )

Case No. 2:09-CV-01656-KJN

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)

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

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Plaintiff, )

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vs. )

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MICHAEL J. ASTRUE, )

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Commissioner of )

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Social Security, )

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Defendant. )

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**IT IS STIPULATED** by and between Deborah Croft ("Plaintiff")

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and defendant Michael J. Astrue, Commissioner of Social Security

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("Defendant"), through their undersigned counsel of record, that

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the above-entitled action shall be remanded to the Commissioner

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of Social Security for further administrative proceedings.

1           The parties have agreed to voluntary remand of this case  
2 pursuant to sentence four of 42 U.S.C. § 405(g) for further  
3 administrative proceedings. Upon remand, the Administrative Law  
4 Judge ("ALJ") will (1) obtain medical records from John Verzosa,  
5 M.D., that are applicable to the period at issue, including the  
6 May 28, 2008, opinion by Dr. Verzosa; (2) evaluate these records  
7 and opinions in these records from Dr. Verzosa, specifically  
8 discussing this evidence and stating the weight given to it; and  
9 (3) further evaluate Plaintiff's residual functional capacity in  
10 light of the evidence from Dr. Verzosa. Also, the ALJ will  
11 consider, to the extent permitted under regulation, the request  
12 by Plaintiff to re-open her 2004 application for benefits.

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1 This stipulation constitutes a remand under the fourth  
2 sentence of Section 205(g) of the Social Security Act, 42 U.S.C.  
3 § 405(g).

4 Respectfully submitted,

5 Dated: April 26, 2010

6 BESS M. BREWER  
7 Bess M. Brewer and Associates

8 /s/ Bess M. Brewer\*

9 BESS M. BREWER  
10 (\*As authorized via email dated  
11 April 26, 2010)  
12 Attorney for Plaintiff

13 Dated: April 26, 2010

14 BENJAMIN B. WAGNER  
15 United States Attorney  
16 LUCILLE GONZALES MEIS  
17 Regional Chief Counsel, Region IX  
18 Social Security Administration

19 By: /s/ Jacob M. Mikow

20 JACOB M. MIKOW  
21 Special Assistant U.S. Attorney  
22 Attorneys for Defendant

23 **ORDER**

24 **APPROVED AND SO ORDERED.**

25 DATED: May 3, 2010

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27 KENDALL J. NEWMAN  
28 UNITED STATES MAGISTRATE JUDGE