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8 Attorneys for Defendant

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

13 DESIREE HICKS,)
)
 14 Plaintiff,)
)
 15 v.)
)
 16 MICHAEL J. ASTRUE,)
 Commissioner of)
 17 Social Security,)
)
 18 Defendant.)
 _____)

CIVIL NO. 2:09-CV-2435 DAD

STIPULATION AND ORDER FOR
 REMAND PURSUANT TO SENTENCE
 FOUR OF 42 U.S.C. § 405(g), AND FOR
 ENTRY OF JUDGMENT IN FAVOR OF
 PLAINTIFF AND AGAINST DEFENDANT

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

24 On remand, the ALJ will further evaluate the treating, nontreating, and nonexamining source
 25 opinions. The ALJ will also obtain testimony from a vocational expert to determine if there are jobs in
 26 the national economy that the Plaintiff is capable of performing. The Appeals Council and/or ALJ may
 27 take any additional action deemed warranted to issue a new decision.

28 The parties further request that the Clerk of the Court be directed to enter a final judgment in

1 favor of Plaintiff, and against Defendant, Commissioner of Social Security, reversing the final decision
2 of the Commissioner.

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4
5 Respectfully submitted,

6 Dated: December 29, 2010

7 /s/ Bess Brewer
8 (As authorized via e-mail)
Bess M. Brewer
Attorney for Plaintiff

9 Dated: December 28, 2010

10 BENJAMIN B. WAGNER
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11 Regional Chief Counsel, Region IX
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12
13 /s/ GERALYN A. GULSETH
14 GERALYN A. GULSETH
Special Assistant U.S. Attorney

15 Attorneys for Defendant

16
17 ORDER

18 IT IS HEREBY ORDERED that the final decision of defendant Commissioner of Social Security
19 is reversed and this action is remanded to the Commissioner for further administrative action pursuant to
20 42 U.S.C. § 405(g), sentence four, in accordance with the terms of the parties' stipulation. The Clerk of
21 the Court is directed to enter a final judgment in favor of Plaintiff and against Defendant Commissioner.
22 Plaintiff's motion for summary judgment (Doc. No. 19) is moot.

23 DATED: January 3, 2011.

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26 DALE A. DROZD
27 UNITED STATES MAGISTRATE JUDGE

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