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8 Attorneys for Defendant

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

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

CIVIL NO. 2:10-CV-0788-FCD-DAD

STIPULATION AND ORDER FOR
REMAND PURSUANT TO SENTENCE
FOUR OF 42 U.S.C. § 405(g), and

REQUEST FOR ENTRY OF JUDGMENT IN
FAVOR OF PLAINTIFF AND AGAINST
DEFENDANT

19
 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 Appeals Counsel will instruct the Administrative Law Judge (“ALJ”) to obtain
 25 additional evidence from a vocational expert (VE) to address the apparent inconsistency between the
 26 occupational requirement descriptions in the Dictionary of Occupational Titles (DOT) and the jobs cited
 27 in the October 20, 2009, hearing decision.

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1 The ALJ will offer Plaintiff the opportunity for a new hearing, and Plaintiff is free to submit new
2 evidence.

3 The parties stipulate that no specific aspect of the ALJ's prior decision is affirmed, and following
4 the end of the remand proceedings, the ALJ will issue a new decision.

5 The parties further request that the Clerk of the Court be directed to enter a final judgment in
6 favor of Plaintiff, and against Defendant, Commissioner of Social Security, reversing the final decision
7 of the Commissioner. Nothing in this proposed order shall be taken to affect Plaintiff's right to request
8 Equal Access to Justice Act (EAJA) attorney's fees under 28 U.S.C. § 2412, or costs under 28 U.S.C.
9 § 1920, or to prevent Defendant from opposing any such requests.

10 Respectfully submitted,

11 Dated: October 1, 2010

s/ Sengthiene Bosavanh
(As authorized by email)
SENGTHIENE BOSAVANH
Attorney for Plaintiff

13 Date: October 1, 2010

BENJAMIN B. WAGNER
United States Attorney

15 By s/ Leslie Alexander
LESLIE ALEXANDER
Special Assistant U. S. Attorney

17 Attorneys for Defendant

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19 ORDER

20 The parties' stipulation for remand is approved, and the Clerk of the Court is directed to enter a
21 final judgment in favor of Plaintiff and against Defendant, Commissioner of Social Security.

22 IT IS SO ORDERED.

23 DATED: October 5, 2010.

24
25 Dale A. Drozd
26 DALE A. DROZD
27 UNITED STATES MAGISTRATE JUDGE

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