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8 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 SACRAMENTO DIVISION

12 PATRICIA JEKOV,)
13)
Plaintiff,)
14 v.)
15)
16 CAROLYN W. COLVIN¹,)
Acting Commissioner)
of Social Security,)
17 Defendant.)
18)
19)

Case No. 2:12-CV-02768-CKD

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

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

23 Upon remand, the Office of Disability Adjudication and Review will remand this case to
24 an Administrative Law Judge (ALJ) and direct him or her to provide Plaintiff with the
25 opportunity for a new hearing. Specifically, the ALJ will re-contact Sultan A. Sultan, M.D., to
26 determine if Plaintiff had a possible earlier date of onset. The ALJ will also obtain medical
27 expert testimony and further evaluate Plaintiff's residual functional capacity. The ALJ will

28 ¹ Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin should be substituted for Michael J. Astrue as the defendant in this suit. No further action need to be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 further evaluate the credibility of Plaintiff's statements regarding her reported symptoms and
2 reassess the lay witness testimony of George Neyko. If necessary, the ALJ will obtain testimony
3 from a vocational expert.

4 Respectfully submitted,

5 Dated: August 29, 2013

/s/Jesse S. Kaplan
JESSE S. KAPLAN
(as authorized via email)
Attorney at Law

7 Attorney for Plaintiff

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9 Dated: August 29, 2013

BENJAMIN B. WAGNER
United States Attorney
DONNA L. CALVERT
Acting Regional Chief Counsel, Region IX
Social Security Administration

12 By:

/s/ Annabelle J. Yang
ANNABELLE J. YANG
Special Assistant U.S. Attorney

14 Attorneys for Defendant

16 **ORDER**

17 APPROVED AND SO ORDERED.

18
19 Dated: August 30, 2013

Carolyn K. Delaney

CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE