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8 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 SACRAMENTO DIVISION

12 CHERIE BLASQUEZ TRACY,)
13)
Plaintiff,)
14 v.)
15)
16 CAROLYN W. COLVIN¹,)
Acting Commissioner)
of Social Security,)
17 Defendant.)
18)

Case No. 2:13-CV-00570-CKD

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

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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 properly assess the medical
25 evidence and opinions of record and provide specific and legitimate reasons for accepting or
26 rejecting these opinions. The ALJ should re-evaluate the medical evidence with the aid of a
27 medical expert to determine the nature and severity of Plaintiff's mental impairments, and if
28 necessary, the ALJ will obtain testimony from a vocational expert. The ALJ will further

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 evaluate the credibility of Plaintiff's statements regarding her reported symptoms. If Plaintiff is
2 found disabled, the ALJ will perform the necessary analysis to determine if drug abuse and
3 alcoholism are material.

4 Respectfully submitted,

5
6 Dated: December 12, 2013

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

8 Attorney for Plaintiff

9
10 Dated: December 12, 2013

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

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13 By:

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

15 Attorneys for Defendant

16
17 **ORDER**

18 APPROVED AND SO ORDERED.

19
20 Dated: December 16, 2013

Carolyn K. Delaney

21
22 CAROLYN K. DELANEY
23 UNITED STATES MAGISTRATE JUDGE
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