

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
(SACRAMENTO)**

<p>THERESA DOUTHITT,</p> <p style="padding-left: 40px;">Plaintiff,</p> <p style="padding-left: 40px;">v.</p> <p>ACTING COMMISSIONER OF SOCIAL SECURITY,</p> <p style="padding-left: 40px;">Defendant.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>No. 2:13-cv-00636-CMK</p> <p>DEFENDANT’S MOTION FOR AN <i>EX</i> <i>PARTE</i> ORDER REMANDING CASE FOR FURTHER PROCEEDINGS, PURSUANT TO SENTENCE FOUR OF 42 U.S.C. § 405(g), AND FOR ENTRY OF JUDGMENT IN FAVOR OF PLAINTIFF</p>
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Defendant, through counsel, hereby submits this motion for an *ex parte* order remanding this case for further proceedings, pursuant to sentence four of 42 U.S.C. § 405(g), and for entry of judgment in favor of Plaintiff. Defendant so moves *ex parte* because counsel has been unable to contact Plaintiff regarding a joint stipulation to voluntary remand. Counsel called the telephone number listed for Plaintiff on the Court's docket, but the person who answered stated that there was no one by the name of Theresa Douthitt at that number.

On remand, the administrative law judge (ALJ) will update the record and include all the reports by Edward Manougian, M.D., that were considered at the initial and reconsideration levels

1 of administrative proceedings. These reports were never exhibited or made part of the record and
2 should be properly exhibited and considered by the ALJ on remand. Also, the ALJ will further
3 clarify whether Plaintiff's pain disorder is severe, reassess her residual functional capacity, and
4 complete the rest of the sequential evaluation process. The ALJ will issue a decision on the issue of
5 disability for the period of April 7, 2008, through June 30, 2012, the date that Plaintiff was last
6 insured under Title II of the Social Security Act.

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8 Respectfully submitted,

9 Date: *June 23, 2014*

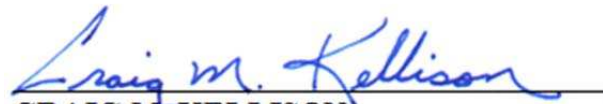
BENJAMIN B. WAGNER
United States Attorney
DONNA L. CALVERT
Acting Regional Chief Counsel, Region IX
Social Security Administration

13 /s/ *Timothy R. Bolin*
14 TIMOTHY R. BOLIN
15 Special Assistant United States Attorney
16
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18 **ORDER**

19 The Court hereby grants *ex parte* the foregoing motion. The Court orders that this case be
20 remanded for further proceedings, as described above, pursuant to sentence four of 42 U.S.C.
21 § 405(g), and that judgment be entered in favor of Plaintiff.
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23 Dated: June 26, 2014


CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE