| (TEMP)(SS) | Tibbet v. Commissioner of Social Security   |  |  |
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|            |   |  |  |
| 1          | BENJAMIN B. WAGNER  |  |  |
| 2          | United States Attorney<br>DEBORAH LEE STACHEL   |  |  |
|            | Acting Regional Chief Counsel, Region IX  |  |  |
| 3          | Social Security Administration  |  |  |
| 4          | SHARON LAHEY  |  |  |
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| 9          | Attorneys for DEFENDANT   |  |  |
| 10         | UNITED STATES DISTRICT COURT  |  |  |
| 11         | EASTERN DISTRICT OF CALIFORNIA  |  |  |
| 12         | SACRAMENTO DIVISION   |  |  |
| 13         |   | No. 2:15-cv-00266-AC (TEMP)                                      |  |
| 14         | SCOTT C. TIBBET,  |  |  |
| 15         | Plaintiff,  | STIPULATION AND ORDER FOR<br>VOLUNTARY                           |  |
|            | vs.   | REMAND PURSUANT TO   |  |
| 16         |   | SENTENCE FOUR OF 42 U.S.C.<br>§ 405(g) AND FOR ENTRY OF JUDGMENT |  |
| 17         | CAROLYN W. COLVIN,<br>Acting Commissioner of Social Security,                                     | (3,40) (g) AND FOR ENTRY OF JODOMENT                             |  |
| 18         | Defendant.  |  |  |
| 19         |   |  |  |
| 20         | IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and                  |  |  |
| 21         | with the approval of the Court, that Defendant Carolyn W. Colvin, Acting Commissioner of          |  |  |
| 22         | Social Security has agreed to voluntarily remand this case for further administrative proceedings |  |  |
| 23         | pursuant to sentence four of 42 U.S.C. section 405(g). The Appeals Council will remand the        |  |  |
| 24         | case to an administrative law judge (ALJ) for a new hearing and decision. The Appeals Council     |  |  |
| 25         | will instruct the ALJ to reevaluate the medical evidence including, but not limited to, any       |  |  |
| 26         | pertinent objective testing, clinical findings, and medical opinions, explain the weight given    |  |  |
| 27         | thereto, and address any inconsistencies in accordance with 20 C.F.R. §§ 404.1520(a)(4)(ii),      |  |  |
| 28         | 404.1521, 404.1523, 404.1527(c)(3)&(4), 416.920(a)(4)(ii), 416.921, 416.923, and                  |  |  |

| 1     | 416.927(c)(3)&(4).  |  |  |
|-------|---|--|--|
| 2     |   | Respectfully submitted,  |  |
| 3     | Dated: March 7, 2016 By   |  |  |
| 4     |   | JOSEPH C. FRAULOB<br>(*As authorized by e-mail on March 6, 2016) |  |
| 5     |   | Attorneys for Plaintiff  |  |
| 6     | Dated: March 7, 2016  | BENJAMIN B. WAGNER   |  |
| 7     |   | United States Attorney   |  |
|       |   | DEBORAH LEE STACHEL<br>Acting Regional Chief Counsel, Region IX  |  |
| 8     |   | Social Security Administration                                   |  |
| 9     | Ву  | r: <u>/s/ Sharon Lahey</u>                                       |  |
| 10    |   | SHARON LAHEY<br>Special Assistant United States Attorney         |  |
| 11    |   | Attorneys for Defendant  |  |
| 12    |   |  |  |
| 13    |   |  |  |
| 14    |   | <u>ORDER</u>   |  |
| 15    | Pursuant to the parties' stipulation, IT IS SO ORDERED. <sup>1</sup>              |  |  |
| 16    | DATED: March 0, 2016  |  |  |
| 17    | DATED: March 9, 2016  |  |  |
| 18    |   | auson Clane  |  |
| 19    |   | ALLISON CLAIRE   |  |
| 20    |   | UNITED STATES MAGISTRATE JUDGE                                   |  |
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| 20    | $\frac{1}{1}$ Accordingly, the Clerk of the Court is directed to close this case. |  |  |
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|       |   |  |  |