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 10 **UNITED STATES DISTRICT COURT**
 11 **EASTERN DISTRICT OF CALIFORNIA**

12	CHARLES MUHLENHAUPT ,)	Case No. : 2:15-cv-02336-CMK
13)	
14	Plaintiff,)	JOINT STIPULATION FOR VOLUNTARY
15	v.)	REMAND PURSUANT TO SENTENCE
16	NANCY A. BERRYHILL, ¹)	FOUR OF 42 U.S.C. § 405(g) AND TO
17	Acting Commissioner of Social Security,)	ENTRY OF JUDGMENT
18	Defendant.)	

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

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 25 _____
 26 ¹ Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d)
 27 of the Federal Rules of Civil Procedure, Nancy A. Berryhill should be substituted for Acting
 28 Commissioner Carolyn W. Colvin as the defendant in this suit. No further action needs 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 On remand, the Commissioner will conduct any necessary further proceedings and issue
2 a new decision. The parties further request that the Clerk of the Court be directed to enter a final
3 judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the
4 Commissioner.

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7 Respectfully submitted,

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9 Date: March 28, 2017

10 By: /s/ Barbara Mann*
11 BARBARA MANN
12 Attorney for Plaintiff
*By email authorization on 3/24/17

13 Date: March 28, 2017

14 PHILLIP A. TALBERT
15 United States Attorney
16 By: /s/ Marcelo Illarmo
17 MARCELO ILLARMO
18 Special Assistant United States Attorney
19 Attorneys for Defendant

20 **ORDER**

21 Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42
22 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for cause shown, IT IS
23 HEREBY ORDERED, ADJUDGED AND DECREED that the above-captioned action is
24 remanded to the Commissioner of Social Security for further proceedings consistent with the
25 terms of the Stipulation to Remand.

26 Dated: March 30, 2017

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28 **CRAIG M. KELLISON**
UNITED STATES MAGISTRATE JUDGE