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10 **UNITED STATES DISTRICT COURT**
 11 **EASTERN DISTRICT OF CALIFORNIA**
 12

| | | |
|---|---|--|
| 13 DANIEL FISCHL, |) | No. 2:16-cv-02320-CMK |
| |) | |
| 14 Plaintiff, |) | |
| |) | STIPULATION FOR REMAND |
| 15 v. |) | PURSUANT TO SENTENCE FOUR OF |
| |) | 42 U.S.C. § 405(g) AND FOR ENTRY OF |
| 16 NANCY A. BERRYHILL, |) | JUDGMENT; ORDER |
| Acting Commissioner of Social Security, |) | |
| |) | |
| 17 Defendant. |) | |
| |) | |

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 23 IT IS HEREBY STIPULATED, by and between Daniel Fischl (Plaintiff) and Nancy A.
 24 Berryhill, Acting Commissioner of Social Security (the Commissioner or Defendant), through
 25 their respective counsel of record, that this action be remanded for further administrative action
 26 pursuant to section 205(g) of the Social Security Act, as amended, 42 U.S.C. section 405(g),
 27 sentence four.
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Stipulation for Voluntary Remand, No. 2:16-cv-02320-CMK

1 On remand, the Commissioner will conduct any necessary further proceedings, including
2 a determination as to whether Plaintiff met the criteria of Listing 12.05, 20 C.F.R. § 404, Subpart
3 P, Appendix 1, for the period at issue in this matter.

4 The parties further request that the Clerk of the Court be directed to enter a final
5 judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the
6 Commissioner.

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8 DATE: October 26, 2017

Respectfully submitted,

9 PHILLIP A. TALBERT
10 United States Attorney

11 /s/ Adam Lazar
12 ADAM LAZAR
13 Special Assistant United States Attorney

14 DATE: October 26, 2017

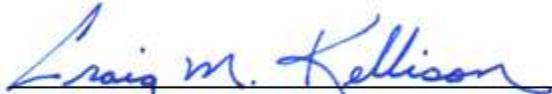
Respectfully submitted,

15 s/ Jesse Kaplan
16 JESSE KAPLAN
17 Attorney for Plaintiff
18 (per email authorization)

19
20 ORDER

21 PURSUANT TO STIPULATION, IT IS SO ORDERED.

22
23 Dated: October 27, 2017

24 
25 CRAIG M. KELLISON
26 UNITED STATES MAGISTRATE JUDGE
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