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

13 ASHLEY KOENEKE, ) Civil No. 2:24-cv-01006-JDP  
14 Plaintiff, )  
15 v. ) **STIPULATION AND ~~PROPOSED~~ ORDER**  
16 ) **FOR VOLUNTARY REMAND**  
17 COMMISSIONER OF SOCIAL SECURITY, )  
18 Defendant. )  
19 \_\_\_\_\_ )

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21 IT IS HEREBY STIPULATED, by and between the parties, through their undersigned attorneys,  
22 and with the approval of the Court, that the Commissioner of Social Security has agreed to a voluntary  
23 remand of this case pursuant to sentence four of 42 U.S.C. § 405(g). The purpose of the remand is to  
24 offer Plaintiff a new decision. The parties agree that no specific aspect of the Commissioner's final  
25 decision is affirmed.

26 On remand, the Commissioner will offer Plaintiff the opportunity for a hearing; develop the  
27 record as necessary; and issue a new decision. The parties further request that the Clerk of the Court be  
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1 directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision  
2 of the Commissioner. Plaintiff's motion for summary judgment, ECF No. 9, is denied as moot.  
3

4 Date: August 28, 2024

LAW OFFICES OF FRANCESCO BENAVIDES

5 By: /s/ Francesco Benavides\*  
6 FRANCESCO BENAVIDES  
7 \*Authorized by email on July 26, 2024  
8 Attorneys for Plaintiff

9 Date: August 28, 2024

PHILIP A. TALBERT  
United States Attorney  
Eastern District of California


10  
11 By: /s/ Caspar Chan  
12 CASPAR CHAN  
13 Special Assistant United States Attorney  
14 Attorneys for Defendant  
15

16 ORDER

17 APPROVED AND SO ORDERED

18  
19 IT IS SO ORDERED.

20  
21 Dated: August 28, 2024

  
22 JEREMY D. PETERSON  
23 UNITED STATES MAGISTRATE JUDGE  
24  
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