

1 JOSEPH P. RUSSONIELLO
 United States Attorney
 2 LUCILLE GONZALES MEIS, SBN CO 15153
 Regional Chief Counsel, Region IX
 3 Social Security Administration
 DONNA WADE ANDERSON, SBN PA 46355
 4 Special Assistant United States Attorney

5 333 Market Street, Suite 1500
 San Francisco, California 94105
 6 TEL: (415) 977-8943
 FAX: (415) 744-0134
 7 EMAIL: Donna.W.Anderson@ssa.gov

8 Attorneys for Defendant

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 10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN FRANCISCO DIVISION

13 LINDA BURNS,)	
Plaintiff,)	CIVIL NO. C-98-4410 CAL
v.)	<u>STIPULATION TO REOPEN</u>
15 MICHAEL J. ASTRUE, ^{1/})	AND [PROPOSED] ORDER
16 Commissioner of Social Security)	
17 Defendant.)	

18 TO ALL PARTIES, THEIR ATTORNEYS OF RECORD, AND THE HONORABLE
 19 CHARLES A. LEGGE, JUDGE OF THE DISTRICT COURT:

20 The parties, by and through their respective counsel, hereby stipulate to reopen the above-
 21 captioned matter. A previous Order for Remand, pursuant to sentence six of Section 205(g) of
 22 the Social Security Act, 42 U.S.C. § 405(g), was entered on April 21, 1999 for the purpose of
 23 locating the administrative claim file and preparing the administrative record for filing with the
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25 _____
 26 ^{1/} On February 12, 2007, Michael J. Astrue became the Commissioner of Social Security.
 27 Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Michael J. Astrue should,
 28 therefore, be substituted for Commissioner Kenneth Apfel as the defendant in this suit. No further
 action need 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 Defendant's answer. The agency was not able to find the claim file, thus the case was remanded
2 for reconstruction and a new decision. On January 23, 2003, after numerous rescheduled
3 hearings, an administrative law judge issued a new decision. Defendant is now prepared to file
4 an answer.

5 The parties stipulate to reopen this matter for resolution before this Court.

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Dated: April 22, 2011


LINDA BURNS
Plaintiff, Pro Se

Dated: April 11, 2011

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney
LUCILLE GONZALES MEIS
Regional Chief Counsel, Region IX
Social Security Administration

By: 
Donna W. Anderson
DONNA W. ANDERSON
Special Assistant United States Attorney
Attorneys for Defendant

ORDER

The Clerk shall randomly re-assign this action.

IT IS SO ORDERED.

Dated this 2 day of June, 2011


~~CHARLES A. LEGGE~~
United States District Court Judge