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14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

16	MANUEL PEREZ ALFARO,)	CIVIL ACTION NO. 12-01999-EMC
17	Plaintiff,)	
18)	
19	v.)	STIPULATION AND PROPOSED ORDER
20)	FOR REMAND PURSUANT TO SENTENCE
21	MICHAEL J. ASTRUE,)	FOUR OF 42 U.S.C. § 405(g), AND REQUEST
22	Commissioner of Social Security,)	FOR JUDGMENT IN FAVOR OF
23	Defendant.)	PLAINTIFF AND AGAINST DEFENDANT
24)	

25 IT IS HEREBY STIPULATED, by and between the parties, through their respective
 26 counsel of record, that this action be remanded to the Commissioner of Social Security for further
 27 administrative action pursuant to section 205(g) of the Social Security Act, as amended, 42
 28 U.S.C. § 405(g), sentence four.

29 Upon remand from the Court, the Appeals Council will remand the case to an
 30 Administrative Law Judge (ALJ) for a new hearing and a new decision. The Appeals Council
 31 will direct the ALJ to (1) update the treatment evidence on Plaintiff’s medical condition; (2)
 32 further consider whether Plaintiff is “Spanish speaking only” or is able to communicate in
 33 English, citing to substantial evidence of record; (3) expressly evaluate the treating, examining,
 34 and non-examining medical source opinions in the updated record and explain the reasons for the
 35 weight he gives to this opinion evidence; (4) further consider Plaintiff’s residual functional
 36 capacity on the updated record, citing specific evidence in support of the assessed limitations; (5)

1 further consider whether Plaintiff has past relevant work he could perform with the limitations
2 established by the evidence; (6) secure supplemental evidence from a vocational expert to clarify
3 the effect of the assessed limitations on Plaintiff's occupational base; and (7) consolidate and
4 consider together Plaintiff's subsequent application for concurrent benefits filed on August 10,
5 2012, currently pending at the initial level.

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

9 Respectfully submitted,

10 Dated: September 27, 2012

/s/ Tom Weathered
(as authorized via e-mail)
TOM WEATHERED
Attorney for Plaintiff

MELINDA L. HAAG
United States Attorney

14
15 Dated: September 27, 2012

By s/ Daniel P. Talbert
DANIEL P. TALBERT
Special Assistant U.S. Attorney

17 Attorneys for Defendant

18
19 ORDER

20 APPROVED AND SO ORDERED:

21 DATED: September 28, 2012

