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9	UNITED STATES DISTRICT COURT		
10	NORTHERN DISTRICT OF CALIFORNIA		
11	SAN JOSE DIVISION		
12			
13	MARIA E. DE LOPEZ RODRIGUEZ,)	
14	Plaintiff,) CIVIL NO. C-06-05029 RMW)	
15	v.	STIPULATION AND ORDER OF REMAND	
16	MICHAEL J. ASTRUE, Commissioner of		
17	Social Security,	Ó	
18	Defendant.))	
)	
19	IT IS HEDEDY STIDLY ATED base	4 4	
20	IT IS HEREBY STIPULATED by the undersigned for the respective parties, subject to the		
21	approval of the Court, that this action be remanded to the Defendant, Commissioner of Social Security,		
22	pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings. The purpose of the remand is to		
23	offer Plaintiff a new hearing and decision.		
24	Upon remand, the Office of Disability Adjudication and Review (ODAR) will vacate the prior		
25	decision and remand this case to an Administrative Law Judge (ALJ) for further administrative		
26	proceedings. Upon remand. Plaintiff will be offered a new hearing, with the opportunity to present new		

evidence and arguments. ODAR will direct the ALJ to update the record regarding Plaintiff's

impairments, identify Plaintiff's past relevant work and the mental and physical demands of that work,

1	and reassess Plaintiff's residual functional capacity. Pursuant to Acquiescence Ruling 97-4(9), the ALJ		
2	will be directed to adopt "a finding from the final decision on the prior claim in determining whether the		
3	claimant is disabled with respect to the unadjudicated period unless there is new and material evidence		
4	relating to such finding"		
5			
6	Dated: /s/ Dennis Stephen Knight		
7	(As authorized by facsimile) DENNIS STEPHEN KNIGHT		
8	The Nordstrom Law Firm Attorney for Plaintiff		
9	TOGERALD DATEGORALI O		
10	JOSEPH P. RUSSONIELLO United States Attorney		
11	LUCILLE GONZALES MEIS Regional Chief Counsel		
12	D / 1 A / 20 2000 D / / G / D		
13	Dated: August 20, 2008 By: /s/ Sarah Ryan SARAH RYAN		
14	Special Assistant United States Attorney		
15	Attorneys for Defendant		
16	United States Social Security Administration		
17			
18	<u>ORDER</u>		
19	PURSUANT TO STIPULATION, IT IS SO ORDERED that this action is reversed and		
20	remanded to the Commissioner of Social Security, pursuant to sentence four of 42 U.S.C. § 405(g) for		
21	further proceedings. The Clerk of Court is hereby ORDERED to enter a separate judgment pursuant to		
22	F. R. Civ. P. 58.		
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24	Dated: September 21 ,2008 Mald Muhyte		
25	The Hon. RONALI M. WHYTE United States District Judge		
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