

1 JOSEPH P. RUSSONIELLO, CSBN 44332
 2 United States Attorney
 3 LUCILLE GONZALES MEIS, SBN CO 15153
 4 Regional Chief Counsel, Region IX
 5 Social Security Administration
 6 LEO R. MONTENEGRO, SBN NY 2616118
 7 Special Assistant United States Attorney
 8 333 Market Street, Suite 1500
 9 San Francisco, California 94105
 10 Telephone: (415) 977-8983
 11 Facsimile: (415) 744-0134
 12 E-Mail: Leo.R.Montenegro@ssa.gov

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13 Attorneys for Defendant

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

16 EUGENE BOYD,)	No. 5:06-cv-07166-RMW
17 Plaintiff,)	
18 v.)	STIPULATION FOR REMAND
19 MICHAEL J. ASTRUE,)	PURSUANT TO SENTENCE SIX
20 Commissioner of Social Security,)	OF 42 U.S.C. § 405(g)
21 Defendant.)	
22)	

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

27 Meaningful review of this case is not possible because the Appeals Council is unable to
 28 locate the recording of Plaintiff’s hearing. On remand, the Appeals Council will continue to
 search for the recording of Plaintiff’s hearing; if the recording cannot be located within 120 days,
 the Appeals Council will remand the case for a *de novo* hearing.

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Dated: September 23, 2009

Respectfully submitted,

/s/ Marc V. Kalagian
(as authorized via e-mail)
MARC V. KALAGIAN
Attorney for Plaintiff

JOSEPH P. RUSSONIELLO
United States Attorney

Dated: September 23, 2009

By s/ Leo R. Montenegro
LEO R. MONTENEGRO
Special Assistant U. S. Attorney

Attorney for Defendant

OF COUNSEL:
DANIEL P. TALBERT
Assistant Regional Counsel, Region IX
Social Security Administration

ORDER

APPROVED AND SO ORDERED:

DATED: 11/16/09


RONALD M. WHYTE
UNITED STATE DISTRICT JUDGE