

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

E-FILED - 1/21/10

13 Attorneys for Defendant

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

16 JAMES FORD,)	CIVIL ACTION NO. 09-00637-RMW
17 Plaintiff,)	
18 v.)	STIPULATION FOR REMAND
19 MICHAEL J. ASTRUE,)	PURSUANT TO SENTENCE FOUR
20 Commissioner of Social Security,)	OF 42 U.S.C. § 405(g), AND REQUEST
21 Defendant.)	FOR JUDGMENT IN FAVOR OF
)	PLAINTIFF AND AGAINST DEFENDANT
)	AND ORDER

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

26 On remand, the Appeals Council will instruct the Administrative Law Judge (ALJ) to take
 27 the following actions:

28 The ALJ will grant Plaintiff a new hearing, and Plaintiff may submit new evidence. The
 ALJ will obtain the testimony of a medical expert to review the medical evidence relating to the
 period prior to December 3, 2007, and provide guidance regarding the nature and severity of
 Plaintiff's impairments and an earlier date of onset.

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

4 Respectfully submitted,

5 Dated: January 6, 2010

/s/ James Hunt Miller
(as authorized via telephone)
JAMES HUNT MILLER
Attorney for Plaintiff

8 JOSEPH P. RUSSONIELLO
9 United States Attorney

10 Dated: January 6, 2010

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

13 Attorneys for Defendant

14 OF COUNSEL TO DEFENDANT:

15 DANIEL P. TALBERT
16 Assistant Regional Counsel, Region IX
17 Social Security Administration

18 ORDER

19 APPROVED AND SO ORDERED:

20 DATED: 1/21/10


RONALD M. WHYTE
21 UNITED STATE DISTRICT JUDGE
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