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10 Attorneys for Defendant

11 UNITED STATES DISTRICT COURT
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 13 NORTHERN DISTRICT OF CALIFORNIA
 14
 15 SAN JOSE DIVISION

16 RONALD JOSEPH PLAGA,
 17
 18 Plaintiff,
 19 v.
 20 MICHAEL J. ASTRUE,
 21 Commissioner of Social Security,
 22 Defendant.

No. 5:09-CV-01194-RMW
**STIPULATION TO VOLUNTARY
 REMAND PURSUANT TO
 SENTENCE FOUR OF 42 U.S.C.
 § 405(g) AND TO ENTRY OF
 JUDGMENT**

23 IT IS HEREBY STIPULATED by the parties, through their undersigned
 24 attorneys, and with the approval of the Court, that the Commissioner has agreed to
 25 a voluntary remand of this case for further administrative proceedings, pursuant to
 26 *sentence four* of 42 U.S.C. § 405(g).
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28 Upon remand, the Office of Disability Adjudication and Review will remand
 this case to an Administrative Law Judge (ALJ) and direct the ALJ to do the

1 following: (1) further evaluate whether Plaintiff's condition medically improved
2 in accordance with 20 C.F.R. §§ 404.1594(f)(1)-(8) and 416.994(b)(5)(i)-(vii),
3 beginning September 30, 2003, and (2) if necessary, further develop the medical
4 evidence to determine whether medical improvement occurred, beginning
5 September 30, 2003.

6 As noted, this stipulation constitutes a remand under the fourth sentence of
7 Section 205(g) of the Social Security Act. See 42 U.S.C. § 405(g).

8
9 Respectfully submitted,

10 Date: August 27, 2010

DOLLY M. TROMPETER

11
12 By: /s/ Dolly M. Trompeter*
13 DOLLY M. TROMPETER
14 (* By email authorization on August 27,
2010)

15 Attorney(s) for Plaintiff

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17 Date: August 27, 2010

MELINDA L. HAAG
United States Attorney

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19 By: /s/ Jacob M. Mikow
20 JACOB M. MIKOW
21 Special Assistant United States Attorney

22 Attorneys for Defendant

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25 **PURSUANT TO THE STIPULATION, IT IS SO ORDERED:**

26 Dated: 9/16/10



27 THE HONORABLE RONALD M. WHYTE
28 United States District Judge