

1 MELINDA HAAG  
 United States Attorney  
 2 DONNA L. CALVERT  
 Regional Chief Counsel, Region IX  
 Social Security Administration  
 4 JEFFREY CHEN, CSBN 260516  
 Special Assistant United States Attorney  
 5 Social Security Administration  
 6 160 Spear Street, Suite 800  
 San Francisco, CA 94105  
 7 Telephone: (415) 977-8939  
 Facsimile: (415) 744-0134  
 8 Email: Jeffrey.Chen@ssa.gov  
 9 Attorneys for Defendant

10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 SAN JOSE DIVISION

14 JOHN MAYHEW,	)	No. 5:13-cv-04521-BLF
	)	
15 Plaintiff,	)	<b>EX PARTE MOTION FOR A</b>
	)	<b>VOLUNTARY REMAND PURUSANT TO</b>
16 v.	)	<b>SENTENCE FOUR OF 42 U.S.C. § 405(g)</b>
	)	
17 CAROLYN W. COLVIN,	)	
18 Acting Commissioner of Social Security,	)	
	)	
19 Defendant.	)	
20	)	

21 Defendant hereby moves, through her undersigned attorneys, and with the approval of the  
 22 Court, to a voluntary remand of this case pursuant to sentence four of 42 U.S.C. § 405(g).

23 Upon further examination of the record, it appears that there is an inconsistency between  
 24 the ALJ's overpayment calculations as compared with the agency's payment records. Upon  
 25 remand, the ALJ shall re-calculate Plaintiff's overpayment, if any, for the period beginning in  
 26 1995, re-determine Plaintiff's total overpayment, and issue a new administrative decision.

27  
 28 Motion for Sentence 4 Remand

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Respectfully submitted,

MELINDA HAAG  
United States Attorney


Date: February 3, 2015

By: /s/ Jeffrey Chen  
JEFFREY CHEN  
Special Assistant United States Attorney  
Attorneys for Defendant

ORDER

APPROVED AND SO ORDERED:

DATED: \_\_\_\_\_

  
\_\_\_\_\_  
HONORABLE BETH L. FREEMAN  
UNITED STATES DISTRICT JUDGE

Motion for Sentence 4 Remand