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9  
 10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA

12	MARTIN ERIC FINDLEY,	)	Case No. 5:14-CV-03581-BLF
13	Plaintiff,	)	
14	v.	)	STIPULATION TO VOLUNTARY
		)	REMAND PURSUANT TO SENTENCE
15	CAROLYN W. COLVIN,	)	FOUR OF 42 U.S.C. § 405(g) AND TO
16	Acting Commissioner of Social Security,	)	ENTRY OF JUDGMENT FOR PLAINTIFF
17	Defendant.	)	
		)	

18  
 19 IT IS HEREBY STIPULATED by and between Plaintiff, Martin Eric Findley and  
 20 Defendant, Carolyn W. Colvin, Acting Commissioner of Social Security (Defendant) through  
 21 their respective counsel of record, and with the approval of the Court, that the Commissioner of  
 22 Social Security has agreed to a voluntary remand of this case for further administrative action  
 23 pursuant to 205(g) of the Social Security Act, as amended, 42 U.S.C. section 405(g) sentence four.

24 Upon remand, the Office of Disability Adjudication and Review’s Appeal Council will  
 25 remand this case to an administrative law judge (ALJ) for further development of the record, a  
 26 new hearing, and decision.

27 The Appeals Council will instruct the ALJ to re-evaluate the medical evidence, including,  
 28 all medical source opinion evidence concerning Plaintiff’s mental impairments, particularly

1 Farhan Matin, M.D.'s post hearing opinion and explain the weight given to all opinion evidence  
2 consistent with 20 C.F.R. §§ 404.1527, 416.927, and Social Security Rulings (SSR) 96-2p and 96-  
3 5p. If necessary, the ALJ may utilize the assistance of a medical expert to aid in this evaluation.

4 Based upon the expanded record, the Appeals Council will instruct the ALJ to reassess the  
5 credibility of Plaintiff's subjective complaints consistent with 20 C.F.R. §§ 404.1529, 416.929;  
6 and SSR 96-7p.

7 As required by the re-evaluation of the evidence, the Appeals Council will also instruct the  
8 ALJ to reassess Plaintiff's residual functional capacity, and obtain supplemental vocational expert  
9 testimony to determine whether Plaintiff could perform any other work existing in significant  
10 numbers in the national economy given his age, education, vocational factors, and residual  
11 functional capacity, as his past relevant work is precluded by the ALJ's previous findings.

12 Plaintiff may present new arguments and evidence. The ALJ may perform further  
13 development and conduct further proceedings as necessary.

14 The parties further request the Clerk of the Court be directed to enter a final judgment in  
15 favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

16 Respectfully submitted,

17 Date: August 12, 2015

/s/Lisa Douglass

Lisa Douglass, Attorney at Law, CSBN 269133  
Attorney for Plaintiff

\*By email authorization on August 11, 2015

20 Date: August 12, 2015

MELINDA L. HAAG  
United States Attorney


22 By: /s/Richard M. Rodriguez

Richard M. Rodriguez  
Special Assistant United States Attorney  
Attorneys for Defendant

25 ORDER

26 APPROVED AND SO ORDERED:

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

  
BETH LABSON FREEMAN  
UNITED STATES DISTRICT COURT JUDGE