

1 DANIEL G. BOGDEN
 Nevada State Bar No. 2137
 2 United States Attorney
 3 District of Nevada

4 SHARON LAHEY
 California State Bar No. 256628
 5 Assistant Regional Counsel
 6 United States Social Security Administration
 160 Spear Street, Suite 800
 7 San Francisco, California 94105-1545
 Telephone: (415) 977-8963
 8 Facsimile: (415) 744-0134
 9 Email: slahey@ssa.gov

10 Attorneys for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
LAS VEGAS DIVISION

14 TAMMY R. BOGROFF,)	Case No. 2:13-cv-00267-JCM-NJK
)	
15 Plaintiff,)	STIPULATION TO REOPEN
)	
16 v.)	
)	
17 CAROLYN W. COLVIN, Acting)	
18 Commissioner of Social Security,)	
)	
19 Defendant.)	

21 IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and
 22 with the approval of the Court, that the above-captioned action be reopened. On February 5,
 23 2014, the Court remanded the above-captioned action for further administrative proceedings and
 24 retained jurisdiction under sentence six of 42 U.S.C. § 405(g). The parties stipulated to remand
 25 because the administrative law judge relied on evidence that did not pertain to Tammy R.
 26 Bogroff (“Plaintiff”) in rendering his decision. The proceedings on remand have culminated into
 27 the administrative law judge’s unfavorable decision dated June 12, 2015. This decision
 28 became the final decision of Carolyn W. Colvin (“Defendant”) on August 11, 2015.

1 Now that the administrative proceedings have concluded, reopening is necessary. In a
2 sentence-six remand case, the Court retains jurisdiction following the remand. See Melkonyan v.
3 Sullivan, 501 U.S. 89, 98; 111 S. Ct. 2157; 115 L. Ed. 78 (1991) (District Court retains
4 jurisdiction over Social Security cases remanded under 42 U.S.C. § 405(g), sentence six, and
5 where the final administrative decision is favorable to one party or the other, the Commissioner
6 is to return to Court following completion of the administrative proceedings on remand so that
7 the Court may enter a final judgment or, as in this case, a dismissal); see also Shalala v. Schaefer,
8 509 U.S. 292, 298–300 (1993).

9 It is therefore appropriate to reopen the above-captioned action. Upon reopening,
10 Defendant will file her answer and certified administrative record within 30 days of the Court's
11 order reopening the above-captioned matter.

12 .
13 Date: November 3, 2015

ROHLFING & KALAGIAN, LLP

/s/ Marc V. Kalagian

MARC. V. KALAGIAN

14
15
16 Date: November 3, 2015

DANIEL G. BOGDEN
United States Attorney

/s/ Sharon Lahey

SHARON LAHEY

Special Assistant United States Attorney

17
18
19
20
21 **ORDER**

22 PURSUANT TO STIPULATION, IT IS SO ORDERED.

23
24 Dated: November 4, 2015


HON. NANCY J. KOPPE

UNITED STATES MAGISTRATE JUDGE