

1 DAYLE ELIESON  
United States Attorney  
2 District of Nevada

3 MARGARET BRANICK-ABILLA, CSBN 223600  
Special Assistant United States Attorney  
4 160 Spear Street, Suite 800  
San Francisco, California 94105  
5 Telephone: (415) 977-8929  
Facsimile: (415) 744-0134  
6 E-Mail: Margaret.Branick-Abilla@ssa.gov

7 Attorneys for Defendant

8  
9  
10 **UNITED STATES DISTRICT COURT**  
11 **DISTRICT OF NEVADA**

12 BOBBIE LOWE, )  
13 Plaintiff, ) Case No. 2:17-cv-02619-GMN-VCF  
14 v. ) **STIPULATION & [PROPOSED] ORDER TO**  
15 NANCY A. BERRYHILL, ) **REMAND PURSUANT TO SENTENCE FOUR**  
Acting Commissioner of Social Security, ) **OF 42 U.S.C. § 405(g)**  
16 Defendant. )

17  
18 IT IS HEREBY STIPULATED, by and between plaintiff Bobbie Lowe (Plaintiff) and Nancy  
19 A. Berryhill, Acting Commissioner of Social Security (the Commissioner or Defendant), through their  
20 respective counsel of record, and with the approval of the Court, that this action be remanded for  
21 further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

22 On remand, the Appeals Council will remand the case to an administrative law judge (ALJ) for  
23 a new decision. The Appeals Council will instruct the ALJ to reevaluate Plaintiff’s mental  
24 impairments and limitations. The Appeals Council will also instruct the ALJ to take further action, as  
25 warranted, to complete the administrative record and to resolve the above issues.

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

3  
4 Respectfully submitted,

5 Dated: March 19, 2018

OSTERHOUT BERGER DISABILITY LAW, LLC

6  
7 By: /s/ Hannalore Merritt\*

HANNALORE MERRITT

Attorneys for Plaintiff

[\*As authorized by e-mail on March 19, 2018]

8  
9  
10 Dated: March 19, 2018

DAYLE ELIESON

United States Attorney

11  
12 By: /s/ Margaret Branick-Abilla

MARGARET BRANICK-ABILLA

Special Assistant United States Attorney

Attorneys for Defendant

13  
14 OF COUNSEL TO DEFENDANT:

DEBORAH LEE STACHEL

Regional Chief Counsel, Region IX

15  
16  
17  
18 IT IS SO ORDERED:

19  
20 Dated this 20 day of March, 2018.

  
\_\_\_\_\_  
Gloria M. Navarro, Chief Judge

UNITED STATES DISTRICT COURT

1 **CERTIFICATE OF SERVICE**

2 I, Margaret Branick-Abilla, certify that the following individual(s) was served with a copy of  
3 the **STIPULATION & [PROPOSED] ORDER TO REMAND PURSUANT TO SENTENCE**  
4 **FOUR OF 42 U.S.C. § 405(g)** on the date and via the method of service set forth below:  
5

6 **CM/ECF:**

7 Hannalore Burns Merritt  
8 Email: hannalore@mydisabilityattorney.com  
9 Attorney for Plaintiff

10 Hal Taylor  
11 Email: haltaylorlawyer@gbis.com  
12 Attorney for Plaintiff

13 Date: March 19, 2018

14 /s/ Margaret Branick-Abilla  
15 MARGARET BRANICK-ABILLA  
16 Special Assistant United States Attorney  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26