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2 District of Nevada

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

12 JAMES STEVEN RUIZ, )

13 Plaintiff, )

14 v. )

15 NANCY A. BERRYHILL, )  
Acting Commissioner of Social Security, )

16 Defendant. )  
17

Case No. 2:17-cv-03036-JAD-VCF

**STIPULATION TO VOLUNTARY  
REMAND PURSUANT TO SENTENCE  
FOUR OF 42 U.S.C. § 405(g) AND TO  
ENTRY OF JUDGMENT FOR  
PLAINTIFF**

ECF Nos. 15, 19, 20

18  
19 IT IS HEREBY STIPULATED by and between the parties, through their undersigned attorneys,  
20 and with the approval of the Court, that the parties have agreed to a voluntary remand of this case  
21 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 a  
23 new decision. The Appeals Council will instruct the ALJ to further evaluate the nature and severity of  
24 Plaintiff's ADHD and intellectual disorder. The Appeals Council will also instruct the ALJ to  
25 reevaluate the medical evidence, including, but not limited to, all medical-source opinion evidence  
26 concerning physical and mental impairments, and explain the weight given to the opinion evidence. The

1 Appeals Council will instruct the ALJ to further evaluate Plaintiff's residual functional capacity. The  
2 Appeals Council will instruct the ALJ to obtain supplemental vocational expert testimony, as needed, to  
3 assist in determining what jobs exist, if any, for Plaintiff given his age, education, vocational factors and  
4 residual functional capacity and resolve any conflicts at step five of the sequential evaluation process.

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

7 Respectfully submitted this 31th day of July 2018.

8 DAYLE ELIESON  
9 United States Attorney

10 /s/ Jenna Barson  
11 JENNA BARSON  
12 Attorney for Plaintiff

/s/ Jennifer A. Kenney  
13 JENNIFER A. KENNEY  
14 Special Assistant United States Attorney

15 OF COUNSEL:

16 DEBORAH LEE STACHEL  
17 Regional Chief Counsel, Region IX

18 **ORDER**

19 Based on the parties' stipulation [ECF No. 20] and good cause appearing, IT IS SO ORDERED. All  
20 pending motions [ECF Nos. 15, 19] are DENIED as moot. The Clerk of Court is directed to ENTER  
21 FINAL JUDGMENT in favor of the plaintiff and against the defendant, reversing the final decision of  
22 the Commissioner and CLOSE THIS CASE.

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U.S. District Judge Jennifer A. Dorsey  
Dated: July 31, 2018