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10 Attorneys for Defendant

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

14 BRENN AJ JACOBS,
15 Plaintiff,

16 v.

17 MARTIN O’MALLEY,
Commissioner of Social Security,
18 Defendant.

) Case No.: 3:24-cv-00436-CLB

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

19)
20)
21 The parties, through their respective counsel, hereby stipulate and agree that the above-
22 captioned case be reversed and remanded to the Commissioner of Social Security for a hearing before
23 an Administrative Law Judge (ALJ) and a new decision in regard to Plaintiff’s applications for
24 disability benefits. On remand, the ALJ will take any necessary action to complete the administrative
25 record, offer Plaintiff a hearing, re-evaluate Plaintiff’s ability to perform other work at step five, to
26

1 include obtaining vocational expert evidence as necessary, while resolving any inconsistencies
2 between the VE testimony, the DOT, and the RFC, and issue a new decision.

3 The parties stipulate that this remand be made pursuant to sentence four of 42 U.S.C. § 405(g),
4 and that Plaintiff may be entitled to reasonable attorney fees and costs pursuant to the Equal Access to
5 Justice Act, 28 U.S.C. § 2412(d), upon proper request to this Court.

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

8
9 DATED this 25th day of November 2024.

10 Respectfully submitted,

11 JASON M. FRIERSON
12 United States Attorney

13 MATHEW W. PILE
14 Associate General Counsel
15 Office of Program Litigation, Office 7
16 Social Security Administration

17 s/ Franco L. Becia

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1 DATED this 25th day of November 2024.

2 s/ Franco L. Becia For
3 MARC V. KALAGIAN
4 Attorney for Plaintiff
5 (PER EMAIL AUTHORIZATION)

6 IT IS SO ORDERED:

7 

8 _____
9 UNITED STATES MAGISTRATE JUDGE

10
11
12
13 DATED: November 26, 2024

1 **CERTIFICATE OF SERVICE**

2 I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My
3 business address is 6401 Security Boulevard, Baltimore, MD 21235. I am not a party to the above-
4 entitled action. On the date set forth below, I caused service of **STIPULATION TO VOLUNTARY**
5 **REMAND PURSUANT TO SENTENCE FOUR OF 42 U.S.C. § 405(g) AND TO ENTRY OF**
6 **JUDGMENT FOR PLAINTIFF** on the following parties by electronically filing the foregoing with
7 the Clerk of the District Court using its ECF System, which provides electronic notice of the filing to:

8 **Marc V Kalagian**
9 Law Offices of Lawrence D. Rohlifing, Inc., CPC
10 12631 East Imperial Highway,
11 Suite C115
12 Santa Fe Springs, CA 90670
13 (562) 273-3702
14 Fax: (562) 868-5491
15 Email: marc.kalagian@rksslaw.com

16 I declare under penalty of perjury that the foregoing is true and correct.

17 DATED this 25th day of November 2024

18 */s/ Franco L. Becia*
19 Franco L. Becia
20 Special Assistant United States Attorney
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23
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