

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LEE O'CONNELL,

Plaintiff,

v.

18-cv-10546-AEK

COMMISSIONER OF SOC. SEC.,

Defendant.

WHEREAS, Defendant offered a stipulation and order of remand under *Carr v. Saul*, 141 S. Ct. 1352 (2021) in error;

WHEREAS, Plaintiff indicated, in a filing dated June 2, 2021 (Docket Entry No. 30), that Plaintiff has "elected not to request a remand on the issue of the Appointments Clause";

WHEREAS, Defendant then filed the executed remand stipulation and order of remand in error (Docket Entry No. 31);

WHEREAS, Defendant seeks leave of the Court to withdraw the executed stipulation and order of remand;

WHEREAS, Plaintiff consents to the withdrawal of the executed stipulation and order of remand;

IT IS HEREBY ORDERED, that the executed remand stipulation (Docket Entry No. 31) be stricken from the record, because it does not properly reflect the parties' positions in this case.

The Clerk of the Court is respectfully directed to strike Docket Entry No. 31 from the docket.

Dated: New York, New York
June 3, 2021



ANDREW E. KRAUSE
United States Magistrate Judge