

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JERRI EHLERT,

Plaintiff,

V.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:17-cv-03010-SAB

**ORDER GRANTING STIPULATED
MOTION FOR REMAND**

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 17.

The motion was heard without oral argument.

The parties stipulate that the above-captioned case be reversed and remanded to the Commissioner of Social Security for further administrative proceedings including a de novo hearing pursuant to sentence four of 42 U.S.C. § 405(g). The parties agree that reasonable attorney fees should be awarded under the Equal Access to Justice Act, 28 U.S.C. § 2412, upon proper request to the Court.

Accordingly, IT IS HEREBY ORDERED:

1. The parties' Stipulated Motion for Remand, ECF No. 17, is

GRANTED.

2. The decision denying benefits is **reversed** and **remanded** for further administrative proceedings. On remand, the ALJ shall offer Plaintiff an opportunity for a new hearing, further develop the record, and issue a new

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1 decision. The ALJ shall also:

- 2 • Reevaluate Plaintiff's degenerative disc disease under Listing 1.04 with
3 the assistance of medical expert testimony, if necessary; and
 - 4 • Reassess the remaining steps of the sequential evaluation process with
5 the assistance of vocational expert evidence and determine whether the
6 vocational expert evidence is consistent with the Dictionary of
7 Occupational Titles pursuant to Social Security Ruling 00-4p.
- 8 3. This remand is made pursuant to sentence four of 42 U.S.C. § 405(g).
- 9 4. Plaintiff's Motion for Summary Judgment, ECF No. 13, is **DISMISSED**

10 **AS MOOT.**

11 5. The District Court Executive is directed to enter judgment in favor of
12 Plaintiff and against Defendant.

13 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
14 file this Order, provide copies to counsel, enter judgment, and close this file.

15 **DATED** this 11th day of September 2017.



A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is fluid and cursive, with "Stanley" and "A." being more stylized and "Bastian" being more clearly legible.

21 Stanley A. Bastian
22 United States District Judge