

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

1 UNITED STATES DISTRICT COURT **Feb 14, 2018**

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3
4 SEAN F. MCVOY, CLERK

5 EASTERN DISTRICT OF WASHINGTON

6 JUSTINA CHOW,

7 No. 1:17-cv-03117-FVS

8 Plaintiff,

9 ORDER GRANTING STIPULATED
10 MOTION FOR REMAND
11 PURSUANT TO SENTENCE FOUR
12 OF 42 U.S.C. § 405(g)

13 vs.
14 COMMISSIONER OF SOCIAL
15 SECURITY,

16 Defendant.

17 ECF No. 13, 17

18 The parties filed a stipulated motion for remand. ECF No. 17. Attorney D.
19 James Tree represents Plaintiff. Special Assistant U.S. Attorney Catherine Escobar
10 represents Defendant. After consideration,

11 **IT IS HEREBY ORDERED:**

12 1. The parties' Stipulated Motion for Remand (**ECF No. 17**) is

13 **GRANTED.**

14 2. The above-captioned case is **REVERSED** and **REMANDED** to the

15 Commissioner of Social Security for further administrative proceeding

16 pursuant to sentence four of 42 U.S.C. § 405(g). The parties agree on and

17 the Court ORDERS the following terms:

1 On remand, the Administrative Law Judge (ALJ) will offer Plaintiff the
2 opportunity for a new hearing and will issue a new decision. The ALJ will
3 obtain medical expert evidence if necessary; reevaluate the medical
4 evidence; reevaluate Plaintiff's subjective allegations of pain and
5 limitations; reassess the Plaintiff's residual functional capacity; and as
6 warranted, obtain additional vocational evidence to reevaluate step five of
7 the sequential evaluation.

8 3. Upon proper presentation, this Court will consider Plaintiff's
9 application for costs, expenses, and reasonable attorney's fees under the
10 Equal Access to Justice Act, 28 U.S.C. § 2412(a),(d).

11 4. Plaintiff's motion for summary judgment (**ECF No. 13**) and the
12 hearing and remaining briefing schedule are **vacated** as moot.

13 The District Court Executive is directed to file this Order and provide copies
14 to counsel. Judgment shall be entered for Plaintiff and the file shall be **CLOSED**.

15 DATED February 14, 2018.

16

s/ Fred Van Sickle
17 Fred Van Sickle
18 Senior United States District Judge
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