

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

Mar 05, 2025

SEAN F. MCAVOY, CLERK

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

PATRICIA W.,¹

Plaintiff,

vs.

LELAND DUDEK, ACTING
COMMISSIONER OF SOCIAL
SECURITY,²

Defendant.

No. 1:24-cv-03168-RHW

**ORDER GRANTING
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C. §
405(g) AND CLOSING FILE**

ECF Nos. 6, 8

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 8, requesting remand of the above-captioned matter to the Commissioner for additional administrative proceeding pursuant to sentence four of 42 U.S.C. §

¹ To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names. *See* LCivR 5.2(c).

² Pursuant to Federal Rule of Civil Procedure 25(d), Leland Dudek, Acting Commissioner of Social Security, is substituted as the named Defendant.

1 405(g). Attorney D. James Tree represents Plaintiff. Attorneys L. Jamala Edwards
2 and Ryan Lu represent Defendant.

3 After consideration, **IT IS HEREBY ORDERED** that:

4 1. The parties' Stipulated Motion for Remand, **ECF No. 8**, is **GRANTED**.

5 2. The above-captioned case be **REVERSED** and **REMANDED** to the
6 Commissioner of Social Security for further administrative proceeding pursuant to
7 sentence four of 42 U.S.C. § 405(g).

8 The parties have stipulated to the following instructions. On remand, the
9 Appeals Council shall instruct the new ALJ to:

- 10 • Perform the sequential evaluation anew;
- 11 • Reassess the persuasiveness of the medical opinions, including the
12 assessment of Jena Worley, M.D.
- 13 • Reconsider the prior administrative medical findings;
- 14 • Further develop the record, as necessary;
- 15 • Offer Plaintiff another administrative hearing;
- 16 • Reevaluate the evidence; and
- 17 • Issue a new decision.

18 *See* ECF No. 8 at 2.

19 3. Judgment shall be entered for **PLAINTIFF**.
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1 4. Plaintiff's Motion for Summary Judgment, **ECF No. 6**, is
2 **STRICKEN AS MOOT.**

3 5. Upon proper presentation, the Court will consider Plaintiff's
4 application for fees and expenses under the Equal Access to Justice Act, 28 U.S.C.
5 § 2412(d).

6 6. The District Court Executive is directed to update the docket sheet to
7 reflect the substitution of Leland Dudek, Acting Commissioner of Social Security,
8 as Defendant.

9 The District Court Executive is directed to enter this Order, **enter Judgment**
10 **in favor of Plaintiff**, forward copies to counsel, and **CLOSE THE FILE.**

11 DATED March 5, 2025.

12 s/Robert H. Whaley
13 ROBERT H. WHALEY
14 Senior United States District Judge
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