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

Mar 06, 2025

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SEAN G.,¹

No. 2:24-cv-283-EFS

Plaintiff,

v.

LELAND DUDEK, Acting
Commissioner of Social Security,

**ORDER GRANTING THE PARTIES'
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C.
§ 405(g)**

Defendant.

The parties agree that the matter should be reversed and remanded to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings. The parties also agree that Plaintiff may be entitled to reasonable attorney fees and costs under the Equal Access to Justice Act, 28 U.S.C. § 2412(d), upon proper request to the Court.

Consistent with the parties' agreement, **IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 13**, is

GRANTED.

¹ For privacy reasons, the Court refers to every social security plaintiff by first name and last initial or by "Plaintiff." See LCivR 5.2(c).

2. This matter is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council is to instruct the ALJ to:

- reevaluate whether there are occupations that exist in significant numbers in the national economy that the claimant can perform, and, if necessary, seek additional evidence from a vocational expert; and
- offer the claimant the opportunity for a hearing, take further action to complete the administrative record resolving the above issues, and issue a new decision.

3. The Clerk's Office shall **TERM** the hearing and Plaintiff's brief, **ECF** **No. 8**, enter **JUDGMENT** in favor of Plaintiff, and **CLOSE** the case.

IT IS SO ORDERED. The Clerk's Office is directed to enter this Order and provide copies to all counsel.

DATED this 6th day of March 2025.

Edward F. Shea
EDWARD F. SHEA
Senior United States District Judge