

**United States District Court  
Northern District of New York**

Keith Gerard,	)	Case 3:19-cv-01285-ATB
<i>Plaintiff,</i>	)	
	)	Andrew T. Baxter
v.	)	United States Magistrate Judge
	)	
Andrew Saul,	)	Stipulation – Document Filed Electronically
Commissioner of the Social	)	
Security Administration	)	
<i>Defendant.</i>	)	

**Parties' Stipulation for Remand**

The parties stipulate that the Commissioner's final decision be reversed and that this action be remanded to the Commissioner for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g). Upon remand, the Appeals Council will remand to a different Administrative Law Judge and instruct that judge to further evaluate the opinion evidence; further evaluate the record evidence related to Plaintiff's residual functional capacity and provide explanations, supported by the record evidence, for the assessed limitations; offer Plaintiff the opportunity for a hearing; take further action to complete the administrative record resolving the above issues; and issue a new decision. The parties consent to the entry of judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

Respectfully Submitted,

Andrew Saul,

By His Attorneys

Grant C. Jaquith,  
United States Attorney

/s/ Ronald W. Makawa

Ronald W. Makawa  
Special Assistant United States Attorney  
N.D.N.Y. Bar Roll No. 700979  
Social Security Administration  
Office of the General Counsel  
J.F.K. Federal Building, Room 625  
Boston, MA 02203  
(617) 565-4283  
ronald.makawa@ssa.gov

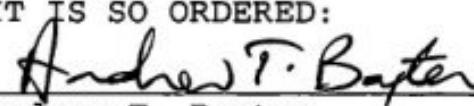
Keith Gerard

By His Attorney

/s/ Peter A. Gorton<sup>1</sup>

Peter A. Gorton  
Lachman, Gorton Law Firm  
P.O. Box 89  
1500 East Main Street  
Endicott, NY 13761-0089  
(607) 754-0500  
office@lglaw.org

IT IS SO ORDERED:

  
Andrew T. Baxter  
U.S. Magistrate Judge  
Dated: June 17, 2020  
Syracuse, NY

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<sup>1</sup> Signed by Ronald W. Makawa with Peter A. Gorton's permission.