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13 Attorneys for Defendant

14 UNITED STATES DISTRICT COURT
 15 EASTERN DISTRICT OF CALIFORNIA
 16 FRESNO DIVISION

17 MOUCK SOURINHAMET,)	Case No. 1:09-CV-00191-SMS
18 Plaintiff,)	
19 v.)	STIPULATION AND ORDER FOR
20 MICHAEL J. ASTRUE,)	THE AWARD OF ATTORNEY’S FEES
21 Commissioner of Social Security,)	PURSUANT TO THE EQUAL ACCESS TO
22 Defendant.)	JUSTICE ACT, 28 U.S.C. § 2412(d)
23)	

24 IT IS HEREBY STIPULATED by and between the parties through their undersigned
 25 counsel, subject to the approval of the Court, that Plaintiff be awarded attorney fees under the
 26 Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), in the amount of ONE THOUSAND
 27 AND SEVEN HUNDRED DOLLARS AND 00 CENTS (\$1,700.00). This amount represents
 28 compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with
 this civil action, in accordance with 28 U.S.C. § 2412(d).

After the Court issues an order for EAJA fees to Plaintiff, the government will consider
 the matter of Plaintiff’s assignment of EAJA fees to Plaintiff’s attorney. Pursuant to Astrue v.
Ratliff, - S.Ct. - , 2010 WL 2346547 (U.S. June 14, 2010), the ability to honor the assignment will

1 depend on whether the fees are subject to any offset allowed under the United States Department
2 of the Treasury's Offset Program. After the order for EAJA fees is entered, the government will
3 determine whether they are subject to any offset.
4

5 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines
6 that Plaintiff does not owe a federal debt, then the government shall cause the payment of fees,
7 expenses and costs to be made directly to Plaintiff's counsel, Robert D. Christenson, pursuant to
8 the assignment executed by Plaintiff. Any payments made shall be delivered to Plaintiff's counsel.
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10 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA
11 attorney fees, and does not constitute an admission of liability on the part of Defendant under the
12 EAJA. Payment of the agreed amount shall constitute a complete release from, and bar to, any
13 and all claims that Plaintiff and/or Plaintiff's counsel may have relating to EAJA attorney fees in
14 connection with this action.
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1 This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security
2 Act attorney fees under 42 U.S.C. § 406, subject to the provisions of the EAJA.
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5 Respectfully submitted,

6 Dated: August 25, 2010

s/ Robert D. Christenson
(As authorized by email)
ROBERT D. CHRISTENSON
Attorney for Plaintiff

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9 Date: August 25, 2010

BENJAMIN B. WAGNER
United States Attorney

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11 By s/ Kathryn R. Watson
12 KATHRYN R. WATSON
13 Special Assistant U. S. Attorney

14 Attorneys for Defendant

15
16 **ORDER**

17
18 IT IS SO ORDERED.

19 Dated: August 25, 2010

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE