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S A C K E T T
A N D A S S O C I A T E S
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/as
Attorney for Plaintiff

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ALICIA G. LEBUS,)	No. C 09-0448 GSA
)	
Plaintiff,)	
)	
v.)	STIPULATION AND ORDER AWARDING
)	ATTORNEY'S FEES AND COSTS UNDER
MICHAEL J. ASTRUE,)	THE EQUAL ACCESS TO JUSTICE ACT
Commissioner,)	[28 U.S.C. § 2412(d)]
Social Security Administration,)	
)	
Defendant.)	
)	

Plaintiff and Defendant, through their respective attorneys, hereby stipulate that subject to the approval of the Court, Plaintiff's counsel, as Plaintiff's assignee, shall be awarded attorney fees under the EAJA in the amount of THREE THOUSAND FIVE HUNDRED (\$3,500.00). This amount presents 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).

This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees, and does not constitute an admission of liability on the part of Defendant under the

1 EAJA. Payment of \$3,500.00 in EAJA attorney fees shall constitute a complete release from and
2 bar to any and all claims Plaintiff may have relating to EAJA fees and costs in connection with
3 this action. Any payment shall be made payable to Plaintiff's counsel as Plaintiff's assignee and
4 delivered to Plaintiff's counsel. This award is without prejudice to the rights of Plaintiff's counsel
5 to seek Social Security Act attorney fees under 42 U.S.C. § 406, subject to the offset provisions
6 of the EAJA.

7
8 Dated: March 12, 2010

/s/ HARVEY P. SACKETT
HARVEY P. SACKETT
Attorney for Plaintiff
ALICIA G. LEBUS

BENJAMIN B. WAGNER
United States Attorney

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14 Dated: March 12, 2010

/s/ ARMAND D. ROTH
ARMAND D. ROTH
Special Assistant United States Attorney

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16
17 IT IS SO ORDERED.

18
19 Dated: May 12, 2010

/s/ Gary S. Austin
HON. GARY S. AUSTIN
United States Magistrate Judge