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8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA
 10 FRESNO DIVISION

11 REBECCA ADAYAN,)	Case No. 1:10-CV-01282-SMS
12 Plaintiff,)	
13 v.)	STIPULATION AND ORDER FOR
14 MICHAEL J. ASTRUE,)	THE AWARD OF ATTORNEY’S FEES
15 Commissioner of Social Security,)	PURSUANT TO THE EQUAL ACCESS TO
16 Defendant.)	JUSTICE ACT, 28 U.S.C § 2412(d)
17 _____))	

18 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,
 19 subject to the approval of the Court, that Plaintiff be awarded attorney fees under the Equal Access to
 20 Justice Act (EAJA), 28 U.S.C. § 2412(d), in the amount of ONE THOUSAND SIX HUNDRED
 21 DOLLARS AND 00 CENTS (\$1,600.00). This amount represents compensation for all legal services
 22 rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28
 23 U.S.C § 2412(d).

24 After the Court issues an order for EAJA fees to Plaintiff, the government will consider the
 25 matter of Plaintiff’s assignment of EAJA fees to Plaintiff’s attorney. Pursuant to Astrue v. Ratliff, -
 26 S.Ct. -, 2010 WL 2346547 (U.S. June 14, 2010), the ability to honor the assignment will depend on
 27 whether the fees are subject to any offset allowed under the United States Department of the Treasury’s
 28 Offset Program. After the order for EAJA fees is entered, the government will determine whether they

1 are subject to any offset.

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3 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines that
4 Plaintiff does not owe a federal debt, then the government shall cause the payment of fees, expenses and
5 costs to be made directly to Plaintiff's counsel, Sengthiene Bosavanh, pursuant to the assignment
6 executed by Plaintiff. The payment shall be made and delivered to Plaintiff's counsel at 19372 Buck
7 Ridge Road, Grass Valley, CA 95949.

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9 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees,
10 and does not constitute an admission of liability on the part of Defendant under the EAJA. Payment of
11 the agreed amount shall constitute a complete release form, and bar to, any and all claims that Plaintiff
12 and/or Plaintiff's counsel may have relating to EAJA attorney fees in connection with this action.

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14 This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security Act
15 attorney fees under 42 U.S.C. § 406, subject to provisions of the EAJA.

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17 Respectfully submitted December 15, 2010.

18 Dated: December 15, 2010

Sengthiene Bosvanh
SENGTHIENE BOSAVANH
Attorney for Plaintiff

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21 Dated: December 15, 2010

BENJAMIN B. WAGNER
United States Attorney

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By s/ Timothy R. Bolin
TIMOTHY R. BOLIN
(Authorized by Email)
Special Assistant U.S. Attorney
Attorneys for Defendant

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28 Stip. & Prop. Order for Attorney's Fees 2

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ORDER

IT IS SO ORDERED.

Dated: December 21, 2010

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE