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 Attorneys for Plaintiff
 6 Debi L. Meckley

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 10 **UNITED STATES DISTRICT COURT**
 11 **EASTERN DISTRICT OF CALIFORNIA**

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 13 DEBI L. MECKLEY,) Case No.: CV 10-1994 SKO
)
 14 Plaintiff,) STIPULATION AND ORDER FOR
) THE AWARD AND PAYMENT OF
 15 vs.) ATTORNEY FEES AND EXPENSES
) PURSUANT TO THE EQUAL
 16 MICHAEL J. ASTRUE,) ACCESS TO JUSTICE ACT, 28 U.S.C.
 Commissioner of Social Security,) § 2412(d)
 17)
 Defendant.)
 18)
 19)

20 TO THE HONORABLE SHEILA K. OBERTO, MAGISTRATE JUDGE
 21 OF THE DISTRICT COURT:

22 IT IS HEREBY STIPULATED by and between the parties through their
 23 undersigned counsel, subject to the approval of the Court, that Debi L. Meckley be
 24 awarded attorney fees and expenses in the amount of one thousand five hundred
 25 dollars (\$1,500.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C. §
 26 2412(d). This amount represents compensation for all legal services rendered on

1 behalf of Plaintiff by counsel in connection with this civil action, in accordance
2 with 28 U.S.C. §§ 1920; 2412(d).

3 After the Court issues an order for EAJA fees to Debi L. Meckley, the
4 government will consider the matter of Debi L. Meckley's assignment of EAJA
5 fees to Young Cho. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2252-2253
6 (2010), the ability to honor the assignment will depend on whether the fees are
7 subject to any offset allowed under the United States Department of the Treasury's
8 Offset Program. After the order for EAJA fees is entered, the government will
9 determine whether they are subject to any offset.

10 Fees shall be made payable to Debi L. Meckley, but if the Department of
11 the Treasury determines that Debi L. Meckley does not owe a federal debt, then the
12 government shall cause the payment of fees, expenses and costs to be made
13 directly to Law Offices of Lawrence D. Rohlfing, pursuant to the assignment
14 executed by Debi L. Meckley. Any payments made shall be delivered to Young
15 Cho.

16 This stipulation constitutes a compromise settlement of Debi L. Meckley's
17 request for EAJA attorney fees, and does not constitute an admission of liability on
18 the part of Defendant under the EAJA. Payment of the agreed amount shall
19 constitute a complete release from, and bar to, any and all claims that Debi L.
20 Meckley and/or Young Cho including Law Offices of Lawrence D. Rohlfing may
21 have relating to EAJA attorney fees in connection with this action.

22 Young Cho reserves the right to contend that any non-payment caused by
23 the collection of a federal debt owed by Debi L. Meckley violates 31 C.F.R. §
24 285.5(e)(5) and *Morrison v. C.I.R.*, 565 F.3d 658, 667 (9th Cir. 2009). Nothing in
25 this stipulation shall be construed as an admission by Young Cho that the

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1 Government has the right or authority to offset the fees due and payable pursuant
2 to this stipulation.

3 This award is without prejudice to the rights of Young Cho and/or Lawrence
4 D. Rohlfing to seek Social Security Act attorney fees under 42 U.S.C. § 406(b),
5 subject to the savings clause provisions of the EAJA.

6 DATE: June 15, 2011

Respectfully submitted,

7 LAW OFFICES OF LAWRENCE D. ROHLFING

8 */s/ Young Cho*

9 BY: _____

Young Cho

Attorney for plaintiff Debi L. Meckley

11 DATED: June 15, 2011

BENJAMIN B. WAGNER

United States Attorney

13 */s/ David Lerch*

14 _____
David Lerch

15 Special Assistant United States Attorney

16 Attorneys for Defendant Michael J. Astrue,

Commissioner of Social Security

(Per e-mail authorization)

19 **ORDER**

20 IT IS SO ORDERED.

21 Dated: June 16, 2011

/s/ Sheila K. Oberto

22 UNITED STATES MAGISTRATE JUDGE