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2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF CALIFORNIA
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5 DEBORAH RANDALL,

6 Plaintiff,

7 v.

8 MICHAEL J. ASTRUE,
9 Commissioner of
Social Security,

10 Defendant.

1:11cv01528 LJO DLB

STIPULATION AND ORDER APPROVING
SETTLEMENT OF ATTORNEY FEES
PURSUANT TO THE EQUAL ACCESS TO
JUSTICE ACT

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12 IT IS HEREBY STIPULATED by and between the parties, through their undersigned counsel,
13 subject to the Court's approval, that Plaintiff be awarded attorney fees under the Equal Access to Justice
14 Act (EAJA), 28 U.S.C. § 2412(d), in the amount of SIX THOUSAND, FIVE-HUNDRED DOLLARS
15 AND ZERO CENTS (\$6,500.00). This amount represents compensation for all legal services rendered
16 on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. §
17 2412(d).

18 After the Court issues an order for EAJA fees and expenses to Plaintiff, the government will
19 consider the matter of Plaintiff's assignment of EAJA fees and expenses to Plaintiff's attorney. Pursuant
20 to Astrue v. Ratliff, 130 S.Ct. 2521 (U.S. June 14, 2010), the ability to honor the assignment will depend
21 on whether the fees and expenses are subject to any offset allowed under the United States Department
22 of the Treasury's Offset Program. After the order for EAJA fees and expenses is entered, the
23 government will determine whether they are subject to any offset.

24 Fees and expenses shall be made payable to Plaintiff, but if the Department of the Treasury
25 determines that Plaintiff does not owe a federal debt, then the government shall cause the payment of
26 fees, expenses and costs to be made directly to Sengthiene Bosavanh, pursuant to the assignment
27 executed by Plaintiff. Any payments made shall be delivered to Plaintiff's counsel.

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

1 Payment of the agreed amount shall constitute a complete release from, and bar to, any and all claims
2 that Plaintiff and/or Plaintiff's counsel may have relating to EAJA attorney fees and expenses in
3 connection with this action.

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

6 Dated: December 11, 2012 /s/Sengthiene Bosavanh
7 *(As authorized via email)*

8 SENGTHIENE BOSAVANH
9 Attorney for Plaintiff

10 BENJAMIN B. WAGNER
11 United States Attorney

12 Dated: December 11, 2012 By: /s/ Sundeep R. Patel
13 SUNDEEP R. PATEL
14 Special Assistant United States Attorney

15 PURSUANT TO STIPULATION, IT IS SO ORDERED that Plaintiff shall be awarded attorney
16 fees in the amount of SIX THOUSAND, FIVE-HUNDRED DOLLARS AND ZERO CENTS
17 (\$6,500.00), as authorized by 28 U.S.C. § 2412(d), subject to the terms of the above-referenced
18 Stipulation.

19 IT IS SO ORDERED.

20 Dated: December 11, 2012

21 /s/ Dennis L. Beck
22 UNITED STATES MAGISTRATE JUDGE
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