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7 Attorney for Plaintiff

8 **UNITED STATES DISTRICT COURT**

9 EASTERN DISTRICT OF CALIFORNIA

10 KELLY JEAN ALCANTAR,

Case No. 1:14-cv-0182--SKO

11 Plaintiff,

**STIPULATION AND ORDER  
FOR EAJA FEES**

12 v.

(Doc. 21)

13 CAROLYN W. COLVIN, Acting  
14 Commissioner of Social Security,

15 Defendant.

16 \_\_\_\_\_/

17 IT IS HEREBY STIPULATED by and between the parties through their undersigned  
18 counsel, subject to the approval of the Court, that Plaintiff shall be awarded attorney's fees and  
19 expenses under the Equal Access to Justice Act (EAJA), 28 U.S.C. sec. 2412(d), in the amount of  
20 SIX THOUSAND SEVEN HUNDRED dollars and ZERO cents (\$6,700.00). This amount  
21 represents compensation for all legal services rendered on behalf of plaintiff by counsel in  
22 connection with this civil action, in accordance with 28 U.S.C. sec. 2412(d).

23 After the Court issues an order for EAJA fees and expenses to Plaintiff, the government  
24 will consider the matter of Plaintiff's assignment of EAJA fees and expenses to Plaintiff's  
25 attorney. The government's ability to honor the assignment will depend on whether the fees and  
26 expenses are subject to an offset allowed under the United States Department of the Treasury's  
27 Offset Program pursuant to Astrue v. Ratcliff, 130 S.Ct. 2521 (2010). After the order of EAJA  
28 fees and expenses is entered, the government will determine if they are subject to an offset.

1 If it is determined that Plaintiff's EAJA fees and expenses are not subject to an offset  
2 under Astrue v. Ratcliff, 130 S.Ct. 2521 (2010) and The Department of Treasury's Offset  
3 Program, then the check for EAJA fees and expenses shall be made payable to Dellert Baird Law  
4 Offices, PLLC, based upon Plaintiff's assignment of these amounts to Plaintiff's attorney. The  
5 parties agree that whether the EAJA check is made payable to Plaintiff or Dellert Baird Law  
6 Offices, PLLC, such check shall be mailed to Plaintiff's attorney at the following address: Dellert  
7 Baird Law Offices, PLLC, P.O. Box 3757, Silverdale, WA 98383.

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Respectfully submitted,

Date: December 18, 2015

JACQUELINE A. FORSLUND  
Attorney at Law

*/s/Jacqueline A. Forslund*  
JACQUELINE A. FORSLUND  
Attorney for Plaintiff

Date: December 18, 2015

BENJAMIN WAGNER  
United States Attorney  
DEBORAH STACHEL  
Acting Regional Chief Counsel, Region IX  
Social Security Administration

*/s/\*Chantal Jenkins*  
CHANTAL JENKINS  
Special Assistant United States Attorney  
\*By email authorization  
Attorney for Defendant

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**ORDER**

Pursuant to the terms of the parties' stipulation, it is HEREBY ORDERED that Plaintiff is awarded \$6,700 in EAJA fees and costs.

IT IS SO ORDERED.

Dated: December 28, 2015

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE