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4 UNITED STATES DISTRICT COURT
5 EASTERN DISTRICT OF CALIFORNIA

6 NANCY L. OVEREND,)

7 Plaintiff,)

8 v.)

9 CAROLYN W. COLVIN,)
10 Acting Comm’r of Social Security,)

11 Defendant,)
12)
13)
14)

Case No. 1:14-cv-01309-EPG

**STIPULATION AND
ORDER FOR AWARD OF ATTORNEY’S
FEES UNDER THE EQUAL ACCESS TO
JUSTICE ACT (EAJA)**

15 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,
16 subject to the approval of the Court, that Plaintiff shall be awarded attorney’s fees under the Equal
17 Access to Justice Act (EAJA), 28 U.S.C. sec. 2412(d), in the amount of FOUR THOUSAND NINE
18 HUNDRED AND FIFTY dollars and ZERO cents (\$4,950.00). This amount represents
19 compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this
20 civil action, in accordance with 28 U.S.C. sec. 2412(d).

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

27 If it is determined that Plaintiff’s EAJA fees are not subject to an offset under Astrue v.
28 Ratcliff, 130 S.Ct. 2521 (2010) and The Department of Treasury’s Offset Program, then the check for
EAJA fees and expenses shall be made payable to Jacqueline A. Forslund, based upon Plaintiff’s
assignment of these amounts to Plaintiff’s attorney. The parties agree that whether these checks are

1 made payable to Plaintiff or Jacqueline A. Forslund, such checks shall be mailed to Plaintiff's
2 attorney at the following address: Jacqueline A. Forslund, Attorney at Law, P.O. Box 4476,
3 Sunriver, Oregon 97707.

4 Respectfully submitted,

5 Date: May 4, 2016

JACQUELINE A. FORSLUND
6 Attorney at Law

7
8 /s/Jacqueline A. Forslund
JACQUELINE A. FORSLUND
9 Attorney for Plaintiff

10
11 Date: May 4, 2016

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

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15 /s/*Carolyn B. Chen
CAROLYN B. CHEN
16 Special Assistant United States Attorney
17 *By email authorization
Attorney for Defendant

18
19 ORDER

20 Based upon the parties' stipulation for the Award and Payment of Equal Access to Justice Act Fees (Doc. 25), IT
21 IS ORDERED that fees as authorized by 28 U.S.C. § 2412(d), in the amount of \$4,950.00, be awarded to Plaintiff's
22 attorney. Any attorney's fees shall be made pursuant to *Astrue v. Ratliff*, 130 S. Ct. 2521 (2010), and shall be distributed
23 according to the terms of the above stipulation.

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25 IT IS SO ORDERED.

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27 Dated: May 9, 2016

/s/ Eric P. Gray
28 UNITED STATES MAGISTRATE JUDGE

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