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6 Attorney for Plaintiff

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA, FRESNO BRANCH

10 SHERI LEANNE QUALLS,
 11 Plaintiff,

Case No.: 1:14-cv-02055-BAM

12 vs.

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

STIPULATION AND ORDER FOR THE
 AWARD OF ATTORNEY FEES
 PURSUANT TO THE EQUAL ACCESS TO
 JUSTICE ACT, 28 U.S.C. § 2412(d)

15 Defendant

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 18 IT IS HEREBY STIPULATED by and between the parties through their undersigned
 19 counsel, subject to the approval of the Court, that Plaintiff be awarded attorney fees under the
 20 EAJA in the amount of TWO THOUSAND ONE HUNDRED AND FIFTY DOLLARS
 21 (\$2,150.00). This amount represents compensation for all legal services rendered on behalf of
 22 Plaintiff, to date, by counsel in connection with this civil action, in accordance with 28 U.S.C. §
 23 2412.
 24

25 After the Court issues an order for EAJA fees and expenses to Plaintiff, the government
 26 will consider the matter of Plaintiff's assignment of EAJA fees and expenses to Plaintiff's
 27 attorney. Pursuant to Astrue v. Ratliff, 130 S.Ct. 2521 (2010), the ability to honor the
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1 assignment will depend on whether the fees and expenses are subject to any offset allowed under
 2 the United States Department of the Treasury's Offset Program. After the order for EAJA fees
 3 and expenses is entered, the government will determine whether they are subject to any offset.
 4 Fees and expenses shall be made payable to Plaintiff, but if the Department of the Treasury
 5 determines that Plaintiff does not owe a federal debt, then the government shall cause the
 6 payment of fees, expenses and costs to be made directly to Shellie Lott, pursuant to the
 7 assignment executed by Plaintiff. Any payments made shall be delivered to Plaintiff's counsel.
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9 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA
 10 attorney fees and expenses, and does not constitute an admission of liability on the part of
 11 Defendant under the EAJA. Payment of the agreed amount shall constitute a complete release
 12 from, and bar to, any and all claims that Plaintiff and/or Plaintiff's counsel may have relating to
 13 EAJA attorney fees and expenses in connection with this action.
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15 This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security
 16 Act attorney fees under 42 U.S.C. § 406, subject to the offset provisions of the EAJA.
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18 Respectfully submitted,

19 Dated: November 13, 2015

20 /s/ Shellie Lott
 SHELLIE LOTT
 Attorney for Plaintiff

21 BENJAMIN B. WAGNER
 22 United States Attorney
 23 DONNA L. CALVERT
 Regional Chief Counsel

24 Date: November 13, 2015

25 /s/ Timothy R. Bolin
 (As authorized via email on 11/13/15)
 26 TIMOTHY R. BOLIN
 Special Assistant United States Attorney

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1 **ORDER**

2 Based upon the parties' Stipulation for the Award and Payment of Equal Access to
3 Justice Act Fees and Expenses filed on November 13, 2015 (Doc. 18) ("the Stipulation"), IT IS
4 ORDERED that fees and expenses in the amount of \$2,150.00 as authorized by 28 U.S.C. § 2412,
5 be awarded subject to the terms of the Stipulation.
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8 IT IS SO ORDERED.
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10 Dated: November 18, 2015

11 */s/ Barbara A. McAuliffe*
12 UNITED STATES MAGISTRATE JUDGE
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