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7 Attorney for Plaintiff

8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10 NORMA JEAN ORNELLAS,)

11 Plaintiff,)

12 v.)

13 CAROLYN W. COLVIN,)
14 Acting Comm’r of Social Security,)

15 Defendant,)
16)
17)

Case No. 1:15-cv-00730-EPG

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

18 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,
19 subject to the approval of the Court, that Plaintiff shall be awarded attorney’s fees under the Equal
20 Access to Justice Act (EAJA), 28 U.S.C. sec. 2412(d), in the amount of FOUR THOUSAND THREE
21 HUNDRED dollars (\$4,300.00). This amount represents compensation for all legal services rendered
22 on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C.
23 sec. 2412(d).

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

1 If it is determined that Plaintiff's EAJA fees are not subject to an offset under Astrue v.
2 Ratcliff, 130 S.Ct. 2521 (2010) and The Department of Treasury's Offset Program, then the check for
3 EAJA fees and expenses shall be made payable to Jacqueline A. Forslund, based upon Plaintiff's
4 assignment of these amounts to Plaintiff's attorney. The parties agree that whether these checks are
5 made payable to Plaintiff or Jacqueline A. Forslund, such checks shall be mailed to Plaintiff's
6 attorney at the following address: Jacqueline A. Forslund, Attorney at Law, P.O. Box 4476,
7 Sunriver, Oregon 97707.

8 Respectfully submitted,

9 Date: April 15, 2016

JACQUELINE A. FORSLUND
Attorney at Law

10
11 /s/Jacqueline A. Forslund
12 JACQUELINE A. FORSLUND
13 Attorney for Plaintiff

14 Date: April 19, 2016

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

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18 /s/*Jean M. Turk
19 JEAN M. TURK
20 Special Assistant United States Attorney
21 *By email authorization
22 Attorney for Defendant

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ORDER

The above stipulation has been reviewed and is adopted. Plaintiff's attorney shall be paid attorney's fees under EAJA, 28 U.S.C. sec. 2412(d), in the agreed upon amount of \$4,300.00, subject to *Astrue v. Ratcliff*, 130 S. Ct. 2521 (2010) and the terms outlined above.

IT IS SO ORDERED.

Dated: April 25, 2016

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE

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