

1 compensation for all legal services rendered on behalf of Plaintiff by counsel in
2 connection with this civil action, in accordance with 28 U.S.C. §§ 1920; 2412(d).

3 After the Court issues an order for EAJA fees to Deborah Ann Bishop, the
4 government will consider the matter of Bishop's assignment of EAJA fees to
5 Young Cho. The retainer agreement containing the assignment is attached as
6 exhibit 1. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2529 (2010), the ability to
7 honor the assignment will depend on whether the fees are subject to any offset
8 allowed under the United States Department of the Treasury's Offset
9 Program. After the order for EAJA fees is entered, the government will determine
10 whether they are subject to any offset.

11 Fees shall be made payable to Bishop, but if the Department of the Treasury
12 determines that Bishop does not owe a federal debt, then the government shall
13 cause the payment of fees, expenses and costs to be made directly to Law Offices
14 of Lawrence D. Rohlfing, pursuant to the assignment executed by Bishop.¹ Any
15 payments made shall be delivered to Young Cho.

16 This stipulation constitutes a compromise settlement of Bishop's request for
17 EAJA attorney fees, and does not constitute an admission of liability on the part of
18 Defendant under the EAJA or otherwise. Payment of the agreed amount shall
19 constitute a complete release from, and bar to, any and all claims that Bishop
20 and/or Young Cho including Law Offices of Lawrence D. Rohlfing may have
21 relating to EAJA attorney fees in connection with this action.

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25 ¹ The parties do not stipulate whether counsel for the plaintiff has a cognizable lien
26 under federal law against the recovery of EAJA fees that survives the Treasury
Offset Program.

1 This award is without prejudice to the rights of Young Cho and/or the Law
2 Offices of Lawrence D. Rohlring to seek Social Security Act attorney fees under
3 42 U.S.C. § 406(b), subject to the savings clause provisions of the EAJA.

4 DATE: December 18, 2017 Respectfully submitted,

5 LAW OFFICES OF LAWRENCE D. ROHLRING

6 */s/ Young Cho*

7 BY: _____

8 Young Cho
9 Attorney for plaintiff Deborah Ann Bishop

10 DATE: December 18, 2017

11 PHILLIP A. TALBERT
12 United States Attorney

13 */s/ Tina L. Naicker*

14 _____
15 TINA L. NAICKER
16 Special Assistant United States Attorney
17 Attorneys for Defendant NANCY A.
18 BERRYHILL, Acting Commissioner of Social
19 Security (Per e-mail authorization)
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ORDER

Based upon the parties' Stipulation for the Award and Payment of Equal Access to Justice Act Fees, Costs, and Expenses, IT IS ORDERED that Randall Bishop, as the heir and representative of the estate of Deborah Bishop, be awarded attorney fees and expenses in the amount of \$6,500.00 as authorized by 28 U.S.C. § 2412, and no costs as authorized by 28 U.S.C. § 1920, subject to the terms of the Stipulation.

IT IS SO ORDERED.

Dated: December 26, 2017

/s/ Eric P. Groj
UNITED STATES MAGISTRATE JUDGE

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 12631 East Imperial Highway, Suite C-115, Santa Fe Springs, California 90670.

On this day of December 18, 2017, I served the foregoing document described as STIPULATION FOR THE AWARD AND PAYMENT OF ATTORNEY FEES AND EXPENSES PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT, 28 U.S.C. § 2412(d) AND COSTS PURSUANT TO 28 U.S.C. § 1920 on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Randall Bishop
2104 LaSalle Ave Apt 205 F
Lubbock, TX 79407

I caused such envelope with postage thereon fully prepaid to be placed in the United States mail at Santa Fe Springs, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

I declare that I am employed in the office of a member of this court at whose direction the service was made.

Young Cho _____

TYPE OR PRINT NAME

/s/ Young Cho _____

SIGNATURE