

1 FORSLUND LAW, LLC  
Jacqueline A. Forslund # 154575  
2 P.O. Box 4476  
3 Sunriver, OR 97707  
Telephone: 541-419-0074  
4 Fax: 541-593-4452  
Email: [jaf@forslundlaw.com](mailto:jaf@forslundlaw.com)  
5

6 Attorney for Plaintiff

7 UNITED STATES DISTRICT COURT  
8 EASTERN DISTRICT OF CALIFORNIA

9 DAVID BARRERA, )

10 Plaintiff )

11 v. )

12 NANCY A. BERRYHILL, )  
13 Acting Commissioner of Social Security, )

14 Defendant )  
15 )  
16 )

Case No. 1:16-CV-01466-SAB

ORDER RE STIPULATION FOR AWARD  
OF ATTORNEY'S FEES UNDER THE  
EQUAL ACCESS TO JUSTICE  
ACT (EAJA)

(ECF No. 27)

17 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,  
18 subject to the approval of the Court, that Plaintiff shall be awarded attorney's fees under the Equal  
19 Access to Justice Act (EAJA), 28 U.S.C. sec. 2412(d), in the amount of SEVEN THOUSAND  
20 dollars and ZERO cents (\$7,000.00). This amount represents compensation for all legal services  
21 rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28  
U.S.C. sec. 2412(d).

22 After the Court issues an order for payment of EAJA fees and expenses to Plaintiff, the  
23 government will consider the matter of Plaintiff's assignment of EAJA fees and expenses to  
24 Plaintiff's attorney. The government's ability to honor the assignment will depend on whether the  
25 fees and expenses are subject to an offset allowed under the United States Department of the  
26 Treasury's Offset Program pursuant to Astrue v. Ratcliff, 130 S.Ct. 2521 (2010). After the order of  
27 EAJA fees and expenses is entered, the government will determine if they are subject to an offset. If  
28 it is determined that Plaintiff's EAJA fees and expenses are not subject to an offset under Astrue v.  
Ratcliff, 130 S.Ct. 2521 (2010) and the Department of Treasury's Offset Program, then the check for

1 EAJA fees and expenses shall be made payable to Jacqueline A. Forslund, based upon Plaintiff's  
2 assignment of these amounts to Plaintiff's attorney. The parties agree that whether these checks are  
3 made payable to Plaintiff or Jacqueline A. Forslund, such checks shall be mailed to Plaintiff's  
4 attorney at the following address: Jacqueline A. Forslund, Forslund Law LLC, P.O. Box 4476,  
5 Sunriver, Oregon 97707. This stipulation constitutes a compromise settlement of Plaintiff's request  
6 for EAJA attorney fees, and does not constitute an admission of liability on the part of Defendant  
7 under the EAJA or otherwise. Payment of the agreed amount shall constitute a complete release from,  
8 and bar to, any and all claims that Plaintiff and/or Plaintiff's Counsel may have relating to EAJA  
9 attorney fees in connection with this action.

10 Respectfully submitted,

11 Date: April 19, 2018

JACQUELINE A. FORSLUND  
Attorney at Law

13 /s/Jacqueline A. Forslund  
14 JACQUELINE A. FORSLUND  
15 Attorney for Plaintiff

16 Date: April 19, 2018

MCGREGOR W. SCOTT  
United States Attorney  
DEBORAH STACHEL  
Regional Chief Counsel, Region IX  
Social Security Administration

19 /s/Beatrice Na  
20 BEATRICE NA  
21 Special Assistant United States Attorney  
22 \*By email authorization  
Attorney for Defendant

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 **ORDER**

2 Pursuant to the stipulation of the parties, IT IS HEREBY ORDERED that attorney fees in the  
3 amount of SEVEN THOUSAND DOLLARS (\$7,000.00) as authorized by 28 U.S.C. § 2412 are  
4 awarded subject to the terms of the stipulation.  
5

6 IT IS SO ORDERED.

7 Dated: April 20, 2018



8 UNITED STATES MAGISTRATE JUDGE

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28