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5 Attorneys for Plaintiff
6 Anna Maria Terrazas

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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**

10 ANNA MARIA TERRAZAS,) Case No.: 1:16-cv-01812-EPG
11)
12 Plaintiff,) STIPULATION AND PROPOSED
13 vs.) ORDER FOR THE AWARD AND
14 NANCY A. BERRYHILL, Acting) PAYMENT OF ATTORNEY FEES
Commissioner of Social Security,) AND EXPENSES PURSUANT TO
15 Defendant.) THE EQUAL ACCESS TO JUSTICE
16) ACT, 28 U.S.C. § 2412(d) AND
17) COSTS PURSUANT TO 28 U.S.C. §
18) 1920
19)

20 TO THE HONORABLE ERICA P. GROSJEAN, MAGISTRATE JUDGE
21 OF THE DISTRICT COURT:

22 IT IS HEREBY STIPULATED, by and between the parties through their
23 undersigned counsel, subject to the approval of the Court, that Anna Maria
24 Terrazas be awarded attorney fees in the amount of Two Thousand Five Hundred
25 Forty Four dollars (\$2,544.00) and expenses in the amount of Sixteen dollars
26 (\$16.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). This
amount represents compensation for all legal services rendered on behalf of

1 Plaintiff by counsel in connection with this civil action, in accordance with 28
2 U.S.C. §§ 1920; 2412(d).

3 After the Court issues an order for EAJA fees to Anna Maria Terrazas, the
4 government will consider the matter of Anna Maria Terrazas's assignment of EAJA
5 fees to Denise Bourgeois Haley. The retainer agreement containing the assignment
6 is attached as exhibit 1. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2529 (2010),
7 the ability to honor the assignment will depend on whether the fees are subject to
8 any offset 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 Anna Maria Terrazas, but if the Department
12 of the Treasury determines that Anna Maria Terrazas does not owe a federal debt,
13 then the government shall cause the payment of fees, expenses and costs to be
14 made directly to Law Offices of Lawrence D. Rohlfing, pursuant to the assignment
15 executed by Anna Maria Terrazas.¹ Any payments made shall be delivered to
16 Denise Bourgeois Haley.

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

24 _____
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 Denise Bourgeois Haley
2 and/or the Law Offices of Lawrence D. Rohlring to seek Social Security Act
3 attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of
4 the EAJA.

5 DATE: January 9, 2018

Respectfully submitted,

LAW OFFICES OF LAWRENCE D. ROHLRING

/s/ Denise Bourgeois Haley

7 BY: _____

8 Denise Bourgeois Haley
9 Attorney for plaintiff Anna Maria Terrazas

10 DATED: January 10, 2018

McGREGOR W. SCOTT
United States Attorney

/s/ Richard Rodriguez

13 _____
14 RICHARD RODRIGUEZ
15 Special Assistant United States Attorney
16 Attorneys for Defendant NANCY A.
17 BERRYHILL, Acting Commissioner of Social
18 Security (Per e-mail authorization
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ORDER

Pursuant to the parties' Stipulation, IT IS ORDERED that fees and costs in the amount of \$2,544.00 and expenses in the amount of Sixteen dollars \$16.00 as authorized by 28 U.S.C. §§ 2412(d) and 1920 be awarded subject to the terms of the Stipulation.

IT IS SO ORDERED.

Dated: January 16, 2018

/s/ Eric P. Groj
UNITED STATES MAGISTRATE JUDGE