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5 Attorneys for Plaintiff  
6 Job Robles

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

9  
10 JOB ROBLES, ) Case No.: 1:17-cv-00566-BAM  
11 Plaintiff, )  
12 vs. ) STIPULATION FOR THE AWARD  
AND PAYMENT OF ATTORNEY  
13 NANCY A. BERRYHILL, Acting ) FEES AND EXPENSES PURSUANT  
Commissioner of Social Security, ) TO THE EQUAL ACCESS TO  
14 Defendant. ) JUSTICE ACT, 28 U.S.C. § 2412(d)  
AND COSTS PURSUANT TO 28  
15 ) U.S.C. § 1920  
16 )

17 TO THE HONORABLE BARBARA A. MCAULIFFE, MAGISTRATE  
18 JUDGE OF THE DISTRICT COURT:

19 IT IS HEREBY STIPULATED by and between the parties through their  
20 undersigned counsel, subject to the approval of the Court, that Job Robles be  
21 awarded attorney fees and expenses in the amount of FOUR THOUSAND ONE  
22 HUNDRED dollars (\$4,100.00) under the Equal Access to Justice Act (EAJA), 28  
23 U.S.C. § 2412(d), and no costs under 28 U.S.C. § 1920. This amount represents  
24 compensation for all legal services rendered on behalf of Plaintiff by counsel in  
25 connection with this civil action, in accordance with 28 U.S.C. §§ 1920; 2412(d).

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

9           Fees shall be made payable to Job Robles, but if the Department of the  
10 Treasury determines that Job Robles does not owe a federal debt, then the  
11 government shall cause the payment of fees, expenses and costs to be made  
12 directly to Law Offices of Lawrence D. Rohlring, pursuant to the assignment  
13 executed by Job Robles.<sup>1</sup> Any payments made shall be delivered to Steven G.  
14 Rosales.

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

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25 \_\_\_\_\_  
26 <sup>1</sup> The parties do not stipulate whether counsel for the plaintiff has a cognizable lien  
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 Steven G. Rosales and/or the  
2 Law Offices of Lawrence D. Rohlring to seek Social Security Act attorney fees  
3 under 42 U.S.C. § 406(b), subject to the savings clause provisions of the EAJA.

4 DATE: January 7, 2019

Respectfully submitted,

5 LAW OFFICES OF LAWRENCE D. ROHLRING

6 */s/ Steven G. Rosales*

7 BY: \_\_\_\_\_

Steven G. Rosales

Attorney for plaintiff Job Robles

9 DATED: January 7, 2019

10 MCGREGOR W. SCOTT

United States Attorney

11 */s/ Chantal R. Jenkins*

12 \_\_\_\_\_  
13 CHANTAL R. JENKINS

Special Assistant United States Attorney

14 Attorneys for Defendant Nancy A. Berryhill,

Acting Commissioner of Social Security

15 (Per e-mail authorization)

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ORDER

Based upon the parties' stipulation for the award and payment of attorney's fees pursuant to the Equal Access to Justice Act ("Stipulation") filed on January 9, 2019, IT IS HEREBY ORDERED that, pursuant to 28 U.S.C. § 2412, fees in the amount of four thousand one hundred dollars (\$4,100.00) be awarded subject to the terms of the Stipulation.

IT IS SO ORDERED.

Dated: January 9, 2019

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE