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6 Attorney for Plaintiff

7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA

9 MICHAEL DEAN COLEMAN,)
)
10 Plaintiff)
)
11 v.)
)
12 NANCY A. BERRYHILL,)
13 Acting Commissioner of Social Security,)
)
14 Defendant)
)
15)
)

Case No. 1:17-CV-01382-SKO

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

(Doc. 15)

16 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,
17 subject to the approval of the Court, that Plaintiff shall be awarded attorney's fees under the Equal
18 Access to Justice Act (EAJA), 28 U.S.C. sec. 2412(d), in the amount of ONE THOUSAND THREE
19 HUNDRED FIFTY dollars and ZERO cents (\$1,350.00). This amount represents compensation for
20 all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in
21 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: May 31, 2018

JACQUELINE A. FORSLUND
Attorney at Law

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

16 Date: May 31, 2018

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

19 /s/Marcelo Illarmo
20 MARCELO ILLARMO
21 Special Assistant United States Attorney
22 *By email authorization
Attorney for Defendant

23 ORDER

24
25 Based upon the parties' above "Stipulation for the Award of Attorney Fees Under the Equal
26 Access to Justice Act (EAJA)" (the "Stipulation") (Doc. 15), IT IS ORDERED that fees in the
27 amount of one thousand three hundred fifty dollars and zero cents (\$1,350.00) as authorized by 28

28 ///

1 U.S.C. § 2412, be awarded subject to the terms of the Stipulation.

2
3 IT IS SO ORDERED.

4 Dated: June 1, 2018

/s/ Sheila K. Olerto
5 UNITED STATES MAGISTRATE JUDGE