

1 KELSEY MACKENZIE BROWN, CA #263109
2 Mackenzie Legal, PLLC
3 1003 Whitman Street
Tacoma, WA. 98406

4 Phone: (206) 300-9063
5 Email: kelsey@mackenzielegal.com

6 Attorney for Plaintiff

7 IN THE UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA

9 BIRDIE SMITH,

10 Plaintiff,

11 v.

12 NANCY BERRYHILL,
Acting Commissioner of Social Security,

13 Defendant.

Civil No. 1:18-CV-0189-GSA

STIPULATED MOTION FOR
ATTORNEYS FEES AND EXPENSES
PURSUANT TO 28 U.S.C. § 2412(d)

14 The parties agree that Plaintiff is entitled to an award of attorney's fees and expenses to be
15 paid by the Defendant, pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C.
16 § 2412(d), subject to any offset as described in *Astrue v. Ratliff*, 130 S.Ct. 2521 (2010).

17 The parties agree that an award of attorney's fees in the amount of \$6,200, as an inclusive
18 amount of all attorney fees and expenses, shall be awarded to Plaintiff as a settlement amount.

19 If it is determined that Plaintiff's EAJA fees and expenses are not subject to any offset
20 allowed under the Department of the Treasury's Offset Program, then the check for EAJA fees
21 and costs shall be made payable to **Kelsey Mackenzie Brown**, based upon Plaintiff's assignment
22 of these amounts to Plaintiff's attorney.

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Kelsey Mackenzie Brown, Esq
1003 Whitman Street
Tacoma, WA 98406
Telephone: (206) 300-9063

1 The parties agree that whether these checks are made payable to Plaintiff, or to Kelsey
2 Mackenzie Brown, they shall be mailed to Plaintiff's attorney at the following address: **Mackenzie**
3 **Legal, PLLC, c/o Kelsey Brown, 1003 Whitman Street, Tacoma, WA 98406.**
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6 Dated this 4th day of June 2019:

s/ KELSEY MACKENZIE BROWN
Kelsey Mackenzie Brown, CA #263109
1003 Whitman Street
Tacoma, WA 98406
Telephone: (206) 300-9063
Kelsey@mackenzielegal.com

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10 Attorney for Plaintiff

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12 Dated this 4th day of June 2019:

s/ KELSEY MACKENZIE BROWN FOR
Michael Marriott
Via email authorization
Social Security Administration
Office of the General Counsel
160 Spear Street, Suite 800
San Francisco, CA 94105-1545
415-977-8942

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16 Attorneys for Defendant

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18 IT IS SO ORDERED.

19 Dated: June 11, 2019

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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Kelsey Mackenzie Brown, Esq
1003 Whitman Street
Tacoma, WA 98406
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