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Regional Chief Counsel, Region IX  
3 Social Security Administration  
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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
10 FRESNO DIVISION  
11

12  
13 EDITH LILLIAN SISCO, ) CIVIL NO. 1:19-CV-01277-AWI-SKO  
Plaintiff, )  
14 ) STIPULATION FOR THE AWARD AND  
v. ) PAYMENT OF ATTORNEY FEES AND  
15 ) EXPENSES PURSUANT TO THE EQUAL  
ANDREW SAUL, ) ACCESS TO JUSTICE ACT, 28 U.S.C. §  
16 ) 2412(d), AND COSTS PURSUANT TO  
Commissioner of Social Security, ) 28 U.S.C. § 1920; ORDER  
17 Defendant. )  
18

19  
20 IT IS HEREBY STIPULATED by and between the parties through their undersigned  
21 counsel, subject to the approval of the Court, that Edith Lillian Sisco (Plaintiff) be awarded  
22 attorney fees and expenses in the amount of seven thousand three hundred and forty-four dollars  
23 (\$7,344.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and no costs.  
24 This amount represents compensation for all legal services rendered on behalf of Plaintiff by  
25 counsel in 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 Plaintiff, the government will consider  
2 the matter of Plaintiff's assignment of EAJA fees to Plaintiff's counsel. Pursuant to *Astrue v.*  
3 *Ratliff*, 560 U.S. 586, 598, 130 S.Ct. 2521, 177 L.Ed.2d 91 (2010), the ability to honor the  
4 assignment will depend on whether the fees are subject to any offset allowed under the United  
5 States Department of the Treasury's Offset Program. After the order for EAJA fees is entered,  
6 the government will determine whether they are subject to any offset.  
7

8 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines  
9 that Plaintiff does not owe a federal debt, then the government shall cause the payment of fees,  
10 expenses and costs to be made directly to Plaintiff's counsel, pursuant to the assignment  
11 executed by Plaintiff. Any payments made shall be delivered to Chermol & Fishman, LLC,  
12 11450 Bustleton Avenue, Philadelphia, PA 19116.  
13

14 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA  
15 attorney fees, and does not constitute an admission of liability on the part of Defendant under the  
16 EAJA or otherwise. Payment of the agreed amount shall constitute a complete release from, and  
17 bar to, any and all claims that Plaintiff and/or Plaintiff's counsel including David F. Chermol,  
18 Esq., Chermol & Fishman, LLC, Helen R. Zane, Esq., and Law Offices of Helen R. Zane may  
19 have relating to EAJA attorney fees in connection with this action.  
20

21 This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security  
22 Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of the EAJA.  
23

24 Respectfully submitted this 4rd day of September 2020.  
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26 Dated: September 4, 2020

By: /s/ David F. Chermol\*

CHERMOL & FISHMAN, LLC

Attorney for Plaintiff

\*Authorized via e-mail

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Dated: September 4, 2020

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

By: /s/ Daniel P. Talbert  
DANIEL P. TALBERT  
Special Assistant United States Attorney  
  
Attorneys for Defendant

**ORDER**

Based upon the parties’ above “Stipulation for the Award and Payment of Attorney Fees Under the Equal Access to Justice Act (EAJA), 28 U.S.C. §2412(d), and Costs Pursuant to 28 U.S.C. § 1920” (the “Stipulation”) (Doc. 25), IT IS ORDERED that attorney’s fees in the amount of SEVEN THOUSAND THREE HUNDRED AND FORTY-FOUR DOLLARS AND 00/100 (\$7,344.00), as authorized under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and no costs, be awarded subject to the terms of the Stipulation.

IT IS SO ORDERED.

Dated: September 4, 2020

/s/ Sheila K. Oberle  
UNITED STATES MAGISTRATE JUDGE