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 2 LUCILLE GONZALES MEIS  
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8 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT  
 10 EASTERN DISTRICT OF CALIFORNIA  
 11 SACRAMENTO DIVISION

12 PAUL APPLEBY,

13 Plaintiff,

14 v.

15 MICHAEL J. ASTRUE,  
 16 Commissioner of  
 17 Social Security,

18 Defendant.

CIVIL NO. 2:07-CV-243-KJM

STIPULATION AND ORDER SETTLING  
 ATTORNEY'S FEES PURSUANT TO THE  
 EQUAL ACCESS TO JUSTICE ACT

19  
 20 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,  
 21 subject to the approval of the Court, that Plaintiff's counsel, as Plaintiff's assignee, be awarded attorney  
 22 fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), in the amount of SIX  
 23 THOUSAND ONE HUNDRED dollars and 00 cents (\$6,100.00). This amount represents compensation  
 24 for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in  
 25 accordance with 28 U.S.C. § 2412(d).  
 26

1 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney  
2 fees, and does not constitute an admission of liability on the part of Defendant under the EAJA.  
3 Payment of SIX THOUSAND ONE HUNDRED dollars and 00 cents (\$6,100.00) in EAJA attorney fees,  
4 shall constitute a complete release from and bar to any and all claims Plaintiff may have relating to  
5 EAJA fees in connection with this action. Any payment shall be made payable to Plaintiff's counsel as  
6 Plaintiff's assignee and delivered to Plaintiff's counsel.

7 This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security Act  
8 attorney fees under 42 U.S.C. § 406, subject to the provisions of the EAJA.

9 Respectfully submitted,

10  
11 Dated: January 12, 2009

/s/ Bess M. Brewer  
(As authorized via e-mail on 01/12/09)  
BESS M. BREWER  
Attorney for Plaintiff

12  
13 Dated: January 12, 2009

14 MCGREGOR W. SCOTT  
15 United States Attorney  
16 LUCILLE GONZALES MEIS  
17 Regional Chief Counsel, Region IX  
18 Social Security Administration

/s/ Jacqueline A. Forslund  
JACQUELINE A. FORSLUND  
Special Assistant U.S. Attorney

19 Attorneys for Defendant

20  
21 **ORDER**

22 **APPROVED AND SO ORDERED.**

23  
24 DATED: January 13, 2009.

25  
26  
27   
28 U.S. MAGISTRATE JUDGE