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8 Attorneys for Defendant

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

12 EDWARD BELL JR.,

13 Plaintiff,

14 v.

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

18 Defendant.

CIVIL NO. 2:07-cv-2532 DAD

STIPULATION AND ORDER SETTLING  
 ATTORNEY'S FEES PURSUANT TO THE  
 EQUAL ACCESS TO JUSTICE ACT, 28  
 U.S.C. § 2412(d)

19  
 20 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel that  
 21 the previously filed Motion for Award of Attorney's Fees Under the Equal Access to Justice Act (EAJA)  
 22 is hereby withdrawn.

23 IT IS FURTHER STIPULATED that, subject to the approval of the Court, Plaintiff's counsel, as  
 24 Plaintiff's assignee, be awarded attorney fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. §  
 25 2412(d), in the amount of FIVE THOUSAND dollars and 00/100 cents (\$5,000.00). This amount  
 26 represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection  
 27 with this civil action, in accordance with 28 U.S.C. § 2412(d).

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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 FIVE THOUSAND dollars and 00/100 cents (\$5,000.00) in EAJA attorney fees, shall  
4 constitute a complete release from and bar to any and all claims Plaintiff may have relating to EAJA fees  
5 in connection with this action. Any payment shall be made payable to Plaintiff's counsel as Plaintiff's  
6 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: November 30, 2009

/s/ Bess Brewer  
(As authorized via email)  
BESS BREWER  
Attorney for Plaintiff

12  
13  
14 Dated: November 30, 2009

BENJAMIN B. WAGNER  
United States Attorney  
LUCILLE GONZALES MEIS  
Regional Chief Counsel, Region IX  
Social Security Administration

/s/ Shea Lita Bond  
SHEA LITA BOND  
Special Assistant U.S. Attorney

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19 Attorneys for Defendant

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21 **ORDER**

22 **APPROVED AND SO ORDERED:**

23 DATED: December 1, 2009.

24  
25   
26 DALE A. DROZD  
27 UNITED STATES MAGISTRATE JUDGE

28 Ddad1/orders.socsec/bell2532.stipord.attyfees