

1 McGREGOR W. SCOTT  
United States Attorney  
2 LUCILLE GONZALES MEIS  
Regional Chief Counsel, Region IX  
3 Social Security Administration  
LEO R. MONTENEGRO  
4 Special Assistant United States Attorney

5 333 Market Street, Suite 1500  
San Francisco, California 94105  
6 Telephone: (415) 977-8931  
Facsimile: (415) 744-0134  
7 E-Mail: [Leo.R.Montenegro@ssa.gov](mailto:Leo.R.Montenegro@ssa.gov)

8 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT  
10 EASTERN DISTRICT OF CALIFORNIA

11 JAMES WOODY,

12 Plaintiff,

13 v.

14 MICHAEL J. ASTRUE,  
15 Commissioner of  
Social Security,

16 Defendant.  
17

CIVIL NO. 2:07-02569-CMK

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

18 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,  
19 subject to the approval of the Court, that Plaintiff's counsel, as Plaintiff's assignee, be awarded attorney  
20 fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), in the amount of FOUR  
21 THOUSAND SEVEN HUNDRED dollars and 00 cents (\$4,700.00). This amount represents  
22 compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this  
23 civil action, in accordance with 28 U.S.C. § 2412(d).

24 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney  
25 fees, and does not constitute an admission of liability on the part of Defendant under the EAJA.  
26 Payment of FOUR THOUSAND SEVEN HUNDRED dollars and 00 cents (\$4,700.00) in EAJA  
27 attorney fees, shall constitute a complete release from and bar to any and all claims Plaintiff may have  
28 relating to EAJA fees in connection with this action. Any payment shall be made payable to Plaintiff's

1 counsel as Plaintiff's assignee and delivered to Plaintiff's counsel.

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

4 Respectfully submitted,

5 Dated: January 13, 2009

6 /s/ Bess M. Brewer  
7 (As authorized via e-mail.)  
8 BESS M. BREWER  
9 Attorney for Plaintiff

10 Dated: January 15, 2009

11 McGREGOR W. SCOTT  
12 United States Attorney  
13 LUCILLE GONZALES MEIS  
14 Regional Chief Counsel, Region IX  
15 Social Security Administration

16 /s/ Leo R. Montenegro  
17 LEO R. MONTENEGRO  
18 Special Assistant U.S. Attorney

19 Attorneys for Defendant

20 ORDER

21 APPROVED AND SO ORDERED.

22 DATED: January 20, 2009

23   
24 **CRAIG M. KELLISON**  
25 UNITED STATES MAGISTRATE JUDGE  
26  
27  
28