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Attorneys for Defendant

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JAMES WOODY, ) CIVIL NO. 2:07-02569-CMK  
Plaintiff, )  
v. ) STIPULATION AND ORDER SETTLING  
MICHAEL J. ASTRUE, ) ATTORNEY'S FEES PURSUANT TO THE  
Commissioner of ) EQUAL ACCESS TO JUSTICE ACT (EAJA)  
Social Security, )  
Defendant. )  
\_\_\_\_\_  
)

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

This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees, and does not constitute an admission of liability on the part of Defendant under the EAJA. Payment of FOUR THOUSAND SEVEN HUNDRED dollars and 00 cents (\$4,700.00) in EAJA attorney fees, shall constitute a complete release from and bar to any and all claims Plaintiff may have 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

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

6 Dated: January 15, 2009

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McGREGOR W. SCOTT  
United States Attorney  
LUCILLE GONZALEZ MEIS  
Regional Chief Counsel, Region IX  
Social Security Administration

11 /s/ Leo R. Montenegro  
12 LEO R. MONTENEGRO  
13 Special Assistant U.S. Attorney

14 Attorneys for Defendant

15 ORDER

16 APPROVED AND SO ORDERED.

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19 DATED: January 20, 2009

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21 CRAIG M. KELLISON  
22 UNITED STATES MAGISTRATE JUDGE