

FILED

NOV - 3 2009

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BY _____
DEPUTY CLERK

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8 Attorneys for Plaintiff

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

13 DEBORAH A. SIEGEL,

14 Plaintiff,

15 v.

16 Michael J. Astrue¹
Commissioner of
17 Social Security,

18 Defendant.

CIVIL NO. 2:08-CV-00801 GGH

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

(SS) Siegel v. Commissioner of the Social Security

Doc. 22

19 _____
20 It is stipulated by the parties through their undersigned counsel, with the
21 Court's approval, that counsel for Plaintiff be awarded attorney's fees under the
22 Equal Access to Justice Act (EAJA) in the amount of FOUR THOUSAND EIGHT
23 _____

24 ¹Michael J. Astrue became the Commissioner of Social Security on
February 12, 2007. Pursuant to Rule 25(d)(1) of Federal Rules of Civil
25 Procedure, Michael J. Astrue should, therefore, be substituted for [**Commissioner**
26 **Jo Anne B. Barnhart**] [**Acting Commissioner Linda S. McMahon**] as the
27 Defendant in this suit. No further action need be taken to continue this suit by
28 reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C.
section 405(g).

1 HUNDRED and NO CENTS DOLLARS (\$4,800.00), for compensation for legal
2 services rendered on Plaintiff's behalf, pursuant to 28 U.S.C. section 2412(d),
3 thereby constituting a compromise settlement for all fees under the EAJA in this
4 action, but not constituting any admission of Defendant's liability under the EAJA
5 in this action.

6 Payment of fees in the amount of FOUR THOUSAND EIGHT HUNDRED
7 and NO CENTS DOLLARS (\$4,800.00) shall constitute a complete release from
8 and bar to any and all claims of Plaintiff's counsel relating to EAJA fees in
9 connection with this action, without prejudice to any future request for fees under
10 the Social Security Act, 42 U.S.C. section 406(b). Pursuant to Plaintiff's
11 agreement to assign the attorney's fees under the Equal Access to Justice Act to
12 her counsel, dated October 10, 2009, the attorney's fees in the amount of FOUR
13 THOUSAND EIGHT HUNDRED and NO CENTS DOLLARS (\$4,800.00) shall
14 be sent directly to counsel for Plaintiff in this case.

15
16 Respectfully Submitted,

17
18 Dated: October 11, 2009

19 / s / John V. Johnson
20 (As authorized
johnvjohanson@sbcglobal.net
John V. Johnson
Attorney for Plaintiff

21 McGREGOR W. SCOTT
22 United States Attorney
23 LUCILLE GONZALES MEIS
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24
25 / s / Armand D. Roth
26 ARMAND D. ROTH
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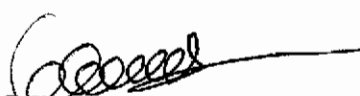
27 Attorneys for Defendant
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ORDER

APPROVED AND SO ORDERED.

Dated: Nov. 3, 2009



GREGORY G. HOLLOWS

GREGORY G. HOLLOWS
UNITED STATES MAGISTRATE JUDGE