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9 ATTORNEYS FOR PLAINTIFF

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

12 ANGIE MARTINEZ,)	Case No.: CV 08-2841 DAD
)	
13 Plaintiff,)	STIPULATION FOR THE AWARD
)	AND PAYMENT OF ATTORNEY
14 vs.)	FEEES PURSUANT TO THE EQUAL
15 MICHAEL J. ASTRUE,)	ACCESS TO JUSTICE ACT, 28 U.S.C.
Commissioner of Social Security,)	§ 2412(d) AND ORDER
)	
16 Defendant.)	
17 _____)		

18 IT IS HEREBY STIPULATED by and between Plaintiff ANGIE
 19 MARTINEZ (“Plaintiff”) and Defendant Michael J. Astrue as the Commissioner of
 20 Social Security (“Defendant”), collectively as the “parties,” through their
 21 undersigned attorneys, subject to the approval of the Court, LAURA KRANK, as
 22 Plaintiff’s counsel and assignee, be awarded attorney fees, costs and expenses
 23 under the EAJA in the amount of THREE THOUSAND EIGHT HUNDRED
 24 DOLLARS (\$3,800.00). This amount represents compensation for all legal
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1 services rendered by LAURA KRANK on behalf of Plaintiff in connection with
2 this civil action, in accordance with 28 U.S.C. § 2412(d).

3 This stipulation constitutes a compromise settlement of Plaintiff's request for
4 EAJA attorney fees, costs, and expenses, and does not constitute an admission of
5 liability on the part of Defendant under the EAJA. Nor do Plaintiff, LAURA
6 KRANK, or Defendant resolve, settle, or compromise the question of whether
7 LAURA KRANK may be, is, or should be the direct payee of an award of fees,
8 costs, and expenses under the EAJA in the absence of an express or implied
9 assignment of such an award or whether any such award is free from or subject to
10 debts of Plaintiff, if any, under the Debt Recovery Act.

11 Payment of THREE THOUSAND EIGHT HUNDRED DOLLARS
12 (\$3,800.00) in EAJA attorney fees, costs, and expenses to LAURA KRANK shall
13 constitute a complete release from and bar to any and all claims Plaintiff may have
14 relating to EAJA fees in connection. Any payment shall be made payable to
15 Plaintiff's counsel as Plaintiff's assignee and delivered to Plaintiff's counsel.

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

4 DATE: 11/30/09

Respectfully submitted,

Rohlfing & Kalagian

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7 BY: /s/ Laura Krank
Laura Krank
Attorney for plaintiff
8 Angie Martinez

9
10 DATE: 11/30/09

LAWRENCE G. BROWN
United States Attorney
11 LUCILLE GONZALES MEIS
12 Chief, Civil Division

13 BY: /s/-Armand D. Roth*
Armand D. Roth
14 Special Assistant United States Attorney
15 Attorneys for defendant Michael J. Astrue
Commissioner of Social Security
16 [*By email authorization on November 30, 2009]

17 IT IS SO ORDERED

18 DATED: December 17, 2009.

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21 _____
DALE A. DROZD
22 UNITED STATES MAGISTRATE JUDGE

23 Ddad1/orders.socsec/martinez2841.stipord.attyfees
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