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8 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT  
 10 EASTERN DISTRICT OF CALIFORNIA

11 SACRAMENTO DIVISION

12 PATRICK DUPREE, )  
 )  
 13 Plaintiff, )  
 )  
 14 v. )  
 )  
 15 MICHAEL J. ASTRUE, )  
 Commissioner of )  
 16 Social Security, )  
 )  
 17 Defendant. )  
 \_\_\_\_\_ )

CIVIL NO. 2:09-cv-01487 KJN

STIPULATION AND ORDER APPROVING  
 SETTLEMENT OF ATTORNEY FEES  
 PURSUANT TO THE EQUAL ACCESS TO  
 JUSTICE ACT

18  
 19 IT IS HEREBY STIPULATED by and between the parties, through their undersigned counsel,  
 20 subject to the Court's approval, that Plaintiff's counsel, as assignee, be awarded attorney fees under the  
 21 Equal Access to Justice Act, (EAJA) in the amount of THREE THOUSAND, FOUR HUNDRED,  
 22 FIFTY DOLLARS AND ZERO CENTS (\$3,450.00). This amount represents compensation for all legal  
 23 services rendered on behalf of Plaintiff by the attorney in connection with this civil action in accordance  
 24 with 28 U.S.C. § 2412(d).

25 This stipulation does not constitute an admission of liability on the part of Defendant under the  
 26 EAJA. Payment of the agreed upon amounts shall constitute a complete release from and bar to any and  
 27 all claims Plaintiff may have relating to EAJA attorney fees and costs in connection with this action.  
 28 This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security Act attorney

1 fees, under 42 U.S.C. § 406, subject to the offset provisions of the EAJA.

2 Dated: June 21, 2010

/s/Peter Brixie  
(As authorized via email)

4 PETER BRIXIE  
Attorney for Plaintiff

6 BENJAMIN B. WAGNER  
United States Attorney

7 Dated: June 21, 2010

8 By: /s/ Elizabeth Firer  
ELIZABETH FIRER  
Special Assistant United States Attorney

10  
11 PURSUANT TO STIPULATION, IT IS SO ORDERED that Plaintiff's counsel, as assignee, shall be  
12 awarded attorney fees in the amount of THREE THOUSAND, FOUR HUNDRED, FIFTY DOLLARS  
13 AND ZERO CENTS (\$3,450.00), as authorized by 28 U.S.C. § 2412(d), subject to the terms of the  
14 above-referenced Stipulation.

15 Dated: June 21, 2010

/s/ Kendall J. Newman  
KENDALL J. NEWMAN  
United States Magistrate Judge