

1 BENJAMIN B. WAGNER
 United States Attorney
 2 LUCILLE GONZALES MEIS
 Regional Chief Counsel, Region IX
 3 Social Security Administration
 LESLIE ALEXANDER (CSBN 256624)
 4 Special Assistant United States Attorney

5 333 Market Street, Suite 1500
 San Francisco, California 94105
 6 Telephone: (415) 977-8927
 Facsimile: (415) 744-0134
 7 E-Mail: Leslie.Alexander@ssa.gov

8 Attorneys for Defendant

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

13 THRESSA BRADSHAW,)
)
 14 Plaintiff,)
)
 15 v.)
)
 16 MICHAEL J. ASTRUE,)
 Commissioner of)
 17 Social Security,)
)
 18 Defendant.)
 _____)

CIVIL NO. 2:10-CV-0788-FCD-DAD
 STIPULATION AND ORDER FOR THE
 AWARD OF ATTORNEY FEES
 PURSUANT TO THE EQUAL ACCESS TO
 JUSTICE ACT, 28 U.S.C. § 2412(d)

19
 20 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,
 21 subject to the approval of the Court, that Plaintiff be awarded attorney fees under the Equal Access to
 22 Justice Act (EAJA), 28 U.S.C. § 2412(d), in the amount of FOUR THOUSAND EIGHT HUNDRED
 23 DOLLARS AND 0 CENTS (\$4,800.00). This amount represents compensation for all legal services
 24 rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with
 25 28 U.S.C. §§ 1920, 2412(d).

26 After the Court issues an order for EAJA fees and expenses and costs to Plaintiff, the
 27 government will consider the matter of Plaintiff's assignment of EAJA fees and expenses and costs to
 28 Plaintiff's attorney. Pursuant to Astrue v. Ratliff, No. 08-1322, 2010 WL 2346547 (U.S. June 14, 2010),

1 the ability to honor the assignment will depend on whether the fees and expenses are subject to any
2 offset allowed under the United States Department of the Treasury's Offset Program. After the order for
3 EAJA fees and expenses is entered, the government will determine whether they are subject to any
4 offset.

5 Fees and expenses shall be made payable to Plaintiff, but if the Department of the Treasury
6 determines that Plaintiff does not owe a federal debt, then the government shall cause the payment of
7 fees and expenses to be made directly to Sengthiene Bosavanh, pursuant to the assignment executed by
8 Plaintiff. Any payments made shall be delivered to Plaintiff's counsel.

9 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees
10 and expenses, and does not constitute an admission of liability on the part of Defendant under the EAJA.
11 Payment of the agreed amount shall constitute a complete release from and bar to any and all claims
12 Plaintiff and/or Plaintiff's counsel may have relating to EAJA attorney fees and expenses and costs in
13 connection with this action.

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

16 Respectfully submitted,

17 Dated: December 20, 2010

s/ Sengthiene Bosavanh
(As authorized by email)
SENGTHIENE BOSAVANH
Attorney for Plaintiff

19 Date: December 20, 2010

BENJAMIN B. WAGNER
United States Attorney

21 By s/ Leslie Alexander
LESLIE ALEXANDER
Special Assistant U. S. Attorney

23 Attorneys for Defendant

24 ORDER

25 APPROVED AND SO ORDERED:

26 DATED: December 21, 2010

27 
FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE