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8 Attorneys for Defendant

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

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

CIVIL NO. 2:10-CV-01879-FCD-EFB
 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 FIVE THOUSAND EIGHT HUNDRED
 23 FIFTY DOLLARS AND 0 CENTS (\$5,850.00), and costs in the amount of THREE HUNDRED FIFTY
 24 DOLLARS AND 0 CENTS (\$350.00). This amount represents compensation for all legal services
 25 rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with
 26 28 U.S.C. §§ 1920, 2412(d).

27 After the Court issues an order for EAJA fees and expenses and costs to Plaintiff, the
 28 government will consider the matter of Plaintiff's assignment of EAJA fees and expenses and costs to

1 Plaintiff's attorney. Pursuant to Astrue v. Ratliff, 130 S.Ct. 2521, 2010 WL 2346547 (2010), the ability
2 to honor the assignment will depend on whether the fees, expenses, and costs are subject to any offset
3 allowed under the United States Department of the Treasury's Offset Program. After the order for
4 EAJA fees and expenses and costs is entered, the government will determine whether they are subject to
5 any offset.

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

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

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

17 Respectfully submitted,

18 Dated: March 21, 2011

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

20 Date: March 21, 2011

BENJAMIN B. WAGNER
United States Attorney

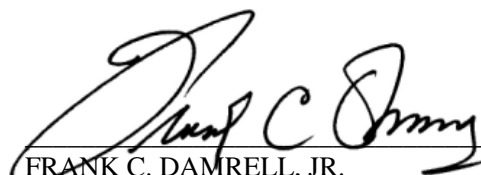
22 By s/ Leslie Alexander
LESLIE ALEXANDER
Special Assistant U. S. Attorney

24 Attorneys for Defendant

25 **ORDER**

26 APPROVED AND SO ORDERED:

27 DATED: March 21, 2011

28 
FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE