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6 Attorney For Plaintiff

7
8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 TERESA GILBERT

12 Plaintiff,

13 v.

14 CAROLYN W. COLVIN,

15 COMMISSIONER OF SOCIAL SECURITY,
16

17 Defendant.

No. 2:11-cv-00039-DAD

**STIPULATION AND ORDER FOR
AWARD OF EAJA FEES**

18 IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and
19 with the approval of the Court as provided below, that Plaintiff be awarded attorney fees under
20 the Equal Access To Justice Act (EAJA) 28 U.S.C. 2412(d), in the amount of three thousand,
21 nine hundred dollars (\$3900.00). This amount represents compensation for legal services
22 rendered on behalf of Plaintiff by her counsel in connection with this civil action, in accordance
23 with 28 U.S.C. 2412(d).

24 After the Court issues an order for EAJA fees to Plaintiff, the government will consider
25 the matter of Plaintiff's assignment of EAJA fees to Plaintiff's attorney. Pursuant to Astrue v.
26 Ratliff, 130 S.Ct. 2521 (U.S. June 14, 2010), the ability to honor the assignment will depend on
27 whether the fees are subject to any offset allowed under the United States Department of the
28

1 Treasury's Offset Program. After the order to EAJA fees is entered, the government will
2 determine if it is subject to any offset.

3 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines
4 that Plaintiff does not owe a federal debt, then the government shall cause the payment of fees to
5 be made directly to Plaintiff's counsel Joseph C. Fraulob, pursuant to the written assignment
6 executed by Plaintiff. Any payments shall be delivered to Plaintiff's counsel Joseph C. Fraulob.

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

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13
14 DATE: June 25, 2015

By /s/ Joseph Clayton Fraulob
JOSEPH CLAYTON FRAULOB
Attorney for plaintiff

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17 DATE: June 25, 2015

BENJAMIN B. WAGNER
United States Attorney

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19 By /s/ Theophous H. Reagans

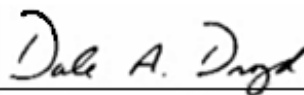
20 (As authorized via email)

21 THEOPHOUS H. REAGANS
22 Assistant Regional Counsel

23 ORDER

24 Pursuant to the parties' stipulation, IT IS SO ORDERED.

25 Dated: June 26, 2015

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28 DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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