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9 Attorneys for Defendant

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

13 AMARJIT SINGH,) No. 2:11-cv-2309-DAD
14 Plaintiff,)
15 v.) STIPULATION FOR THE AWARD AND
16 MICHAEL J. ASTRUE,) PAYMENT OF ATTORNEY FEES
17 Commissioner of Social Security,) PURSUANT TO THE EQUAL ACCESS TO
18 Defendant.) JUSTICE ACT, 28 U.S.C. § 2412(d) AND
19) ORDER
20)
21)
22)

23 IT IS HEREBY STIPULATED by and between the parties through their undersigned
24 counsel, subject to the approval of the Court, that Plaintiff be awarded attorney fees under the
25 Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), in the amount of FIVE THOUSAND
26 TWO HUNDRED DOLLARS (\$5,200.00). This amount represents compensation for all legal
27 services rendered on behalf of Plaintiff by counsel in connection with this civil action, in
28 accordance with 28 U.S.C. §§ 1920, 2412(d).

1 After the Court issues an order for EAJA fees to Plaintiff, the government will consider
2 the matter of Plaintiff's assignment of EAJA fees to Plaintiff's attorney. Pursuant to Astrue v.
3 Ratliff, 130 S. Ct. 2521, 2252-2253 (2010), the ability to honor the assignment will depend on
4 whether the fees are subject to any offset allowed under the United States Department of the
5 Treasury's Offset Program. After the order for EAJA fees is entered, the government will
6 determine whether they are subject to any offset.

7 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines
8 that Plaintiff does not owe a federal debt, then the government shall cause the payment of fees, to
9 be made directly to LAW OFFICE BESS M. BREWER & ASSOCIATES pursuant to the
10 assignment executed by Plaintiff. Any payments made shall be delivered to BESS M.
11 BREWER.

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

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

19
20 DATE: November 18, 2013

21 By: s/Bess M. Brewer*
22 Attorney for Plaintiff
23 (*by email authorization 11/18/13)

24 Date: November 18, 2013 BENJAMIN B. WAGNER
25 United States Attorney

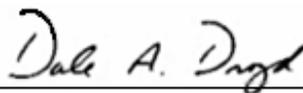
26 By: s/Cynthia B. De Nardi
27 CYNTHIA B. DE NARDI
28 Special Assistant United States Attorney
Attorneys for Defendant

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ORDER

Pursuant to the parties' Stipulation for Award of Attorney Fees pursuant to the Equal Access to Justice Act (EAJA) (Stipulation), **IT IS ORDERED** that EAJA fees are awarded in the amount of FIVE THOUSAND TWO HUNDRED DOLLARS (\$5,200.00) subject to the terms of the Stipulation.

Dated: November 19, 2013



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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