

1 BENJAMIN B. WAGNER
 United States Attorney
 2 DONNA L. CALVERT
 Acting Regional Chief Counsel, Region IX
 3 Social Security Administration
 SUNDEEP R. PATEL
 4 Special Assistant United States Attorney
 Social Security Administration
 5 160 Spear Street, Suite 800
 San Francisco, California 94105
 6 Telephone: (415) 977-8981
 Facsimile: (415) 744-0134
 7 E-mail: Sundeep.Patel@ssa.gov

8 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT
 10 EASTERN DISTRICT OF CALIFORNIA

12 GURBAX KAUR,)
)
 13 Plaintiff,)
)
 14 v.)
)
 15 MICHAEL J. ASTRUE,)
 Commissioner of)
 16 Social Security,)
)
 17 Defendant.)

CIVIL NO. 11-2486-AC

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

18 IT IS HEREBY STIPULATED by and between the parties, through their undersigned counsel,
 19 subject to the Court’s approval, that Plaintiff be awarded attorney fees under the Equal Access to Justice
 20 Act (EAJA), 28 U.S.C. § 2412(d), in the amount of FOUR THOUSAND DOLLARS AND ZERO
 21 CENTS (\$4,000). This amount represents compensation for all legal services rendered on behalf of
 22 Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. § 2412(d).

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

1 Fees and expenses shall be made payable to Plaintiff, but if the Department of the Treasury
2 determines that Plaintiff does not owe a federal debt, then the government shall cause the payment of
3 fees, expenses and costs to be made directly to Bess M. Brewer, pursuant to the assignment executed by
4 Plaintiff. Any payments made shall be delivered to Plaintiff's counsel.

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

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

12 Dated: August 14, 2013

/s/Bess Brewer
(As authorized via email)

14 BESS M. BREWER
Attorney for Plaintiff

16 BENJAMIN B. WAGNER
United States Attorney

17 Dated: August 14, 2013

/s/ Sundeep R. Patel
SUNDEEP R. PATEL
Special Assistant United States Attorney

19 PURSUANT TO STIPULATION, IT IS SO ORDERED that Plaintiff shall be awarded attorney
20 fees in the amount of FOUR THOUSAND DOLLARS AND ZERO CENTS (\$4,000), as authorized by
21 28 U.S.C. § 2412(d), subject to the terms of the above-referenced Stipulation.

22 DATED: August 19, 2013

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25 ALLISON CLAIRE
26 UNITED STATES MAGISTRATE JUDGE

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28 /mb;kaur2486.fees.stip