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Attorneys for Plaintiff

8 **IN THE UNITED STATES DISTRICT COURT**
 9 **EASTERN DISTRICT OF CALIFORNIA**

10 **DEBARA LEE AHNER**

11 **Plaintiff,**

12 **v.**

13 **CAROLYN W. COLVIN**
 14 **ACTING COMMISSIONER OF SSA,**
 15 **Defendant.**

Case No. 12-cv-02327-AC

16 **STIPULATION & ORDER APPROVING**
 17 **SETTLEMENT OF ATTORNEY FEES**
 18 **PURSUANT TO THE EQUAL ACCESS TO**
 19 **JUSTICE ACT**

20 IT IS HEREBY STIPULATED by and between the parties, through their undersigned
 21 counsel, subject to the Court's approval, that Plaintiff be awarded attorney fees under the Equal
 22 Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), in the amount of SIX THOUSAND ONE
 23 HUNDRED TEN DOLLARS AND TEN CENTS (**\$6,110.10**). This amount represents
 24 compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this
 25 civil action, in accordance with 28 U.S.C. § 2412(d). After the Court issues an order for EAJA fees
 26 and expenses to Plaintiff, the government will consider the matter of Plaintiff's assignment of
 27 EAJA fees and expenses to Plaintiff's attorney. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521 (U.S.
 28 June 14, 2010), the ability to honor the assignment will depend on whether the fees and expenses
 are subject to any offset allowed under the United States Department of the Treasury's Offset

1 Program. After the order for EAJA fees and expenses is entered, the government will determine
2 whether they are subject to any offset.

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

7 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney
8 fees and expenses, and does not constitute an admission of liability on the part of Defendant under
9 the 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 and
11 expenses in connection with this action.

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

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16 Dated: March 4, 2014

/s/Bess M. Brewer
BESS M. BREWER
Attorney at Law

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Attorney for Plaintiff

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21 Dated: March 4, 2014

Benjamin B. Wagner
United States Attorney

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/s/ Armand Roth
ARMAND ROTH
Special Assistant United States Attorney
Attorneys for Defendant

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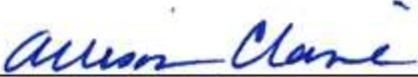
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ORDER

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PURSUANT TO STIPULATION, IT IS SO ORDERED that Plaintiff shall be awarded attorney fees in the amount of SIX THOUSAND ONE HUNDRED TEN DOLLARS AND TEN CENTS (**\$6,110.10**), as authorized by 28 U.S.C. § 2412(d), subject to the terms of the above-referenced Stipulation

DATED: March 4, 2014



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE