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5 Attorney for Plaintiff Laura Faye Haverlock

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8 UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA
 9 SACRAMENTO DIVISION

10 LAURA FAYE HAVERLOCK,
 11 Plaintiff,
 12
 13 v
 14 CAROLYN W. COLVIN,
 ACTING COMMISSIONER OF
 15 SOCIAL SECURITY,
 16 Defendant.

CASE NO. 2:12-CV-02393-DAD
 STIPULATION FOR AWARD OF
 ATTORNEY'S FEES AND COSTS
 PURSUANT TO THE
 EQUAL ACCESS TO
 JUSTICE ACT, 28 U.S.C.
 § 2412(d) AND FOR COURT
 COSTS PURSUANT TO 28
 U.S.C. § 1920

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 18 IT IS HEREBY STIPULATED by and between the parties, through their
 19 undersigned counsel of record, and subject to the approval of the Court, that
 20 Plaintiff shall be awarded attorney fees under the Equal Access to Justice Act
 21 ("EAJA") in the amount of SEVEN THOUSAND FIVE-HUNDRED DOLLARS
 22 and NO CENTS (\$7,500.00), as authorized by 28 U.S.C. § 2412(d), and Court costs
 23 in the amount of THREE-HUNDRED FIFTY DOLLARS and NO CENTS
 24 (\$350.00), as authorized by 28 U.S.C. § 1920 – hereinafter referred to as "the
 25 agreed amount."

26 After the Court issues an order for EAJA fees to Plaintiff, the government will
 27 consider the matter of Plaintiff's assignment of EAJA fees to Plaintiff's attorney.
 28 Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521 (2010), the ability to honor the

1 assignment will depend on whether the fees, expenses are subject to any offset
2 allowed under the United States Department of the Treasury's Offset Program. After
3 the order for EAJA fees is entered, the government will determine whether they are
4 subject to any offset.

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

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

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

19 Date: April 10, 2014.

/s/ Andrew T. Koenig
ANDREW T. KOENIG
Attorney for Plaintiff Laura Haverlock

21 Date: April 10, 2014.

ANDRÉ BIROTTE JR.
United States Attorney
LEON W. WEIDMAN
Assistant United States Attorney
Chief, Civil Division

24 /s/ - Armand D. Roth by Andrew T. Koenig*
ARMAND D. ROTH
Special Assistant United States Attorney
Attorneys for Defendant
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26 [*By email authorization on April 10, 2014]

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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

10 LAURA FAYE HAVERLOCK,
11 Plaintiff,
12 v.
13
14 CAROLYN W. COLVIN,
ACTING COMMISSIONER OF
15 SOCIAL SECURITY,
16 Defendant.

CASE NO. 2:12-CV-02393-DAD
~~FILED~~ ORDER
AWARDING ATTORNEY'S
FEES AND COSTS PURSUANT
TO THE EQUAL ACCESS TO
JUSTICE ACT, 28 U.S.C.
§ 2412(d), AND COURT COSTS
PURSUANT TO
28 U.S.C. § 1920

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19 Based upon the parties' Stipulation for Award of EAJA Fees ("Stipulation"),
20 IT IS ORDERED that Plaintiff is awarded attorney fees under the Equal Access to
21 Justice Act in the amount of SEVEN THOUSAND FIVE-HUNDRED DOLLARS
22 and NO CENTS (\$7,500.00), as authorized by 28 U.S.C. § 2412(d), and Court
23 costs in the amount of THREE-HUNDRED FIFTY DOLLARS and NO CENTS
24 (\$350.00), pursuant to 28 U.S.C. § 1920, subject to the terms of the Stipulation.

25 Dated: 4/21/14

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27 UNITED STATES MAGISTRATE JUDGE
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