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6 **Attorney for Plaintiff**
7 **AZAM BOZORGMANESH**

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

10 **-00000-**

11 **AZAM BOZORGMANESH,**

12 Plaintiff,

13 vs.

14 **Carolyn Colvin,**

15 **ACTING COMMISSIONER OF SOCIAL**
16 **SECURITY,**

17
18 Defendant

) **Case No. : 2:12-CV-02656-CKD**
)
)

) **STIPULATION AND ORDER**
) **APPROVING SETTLEMENT OF**
) **ATTORNEY FEES UNDER JUSTICE**
) **ACT [28 U.S.C. §2412(d)]**
)
)
)

19
20 THE PARTIES STIPULATE through the undersigned, subject to the approval of the
21 Court, that plaintiff be awarded attorney fees in the amount of Two Thousand Five Hundred
22 Twenty-Two dollars and seven cents (\$2,522.07) under the *Equal Access to Justice Act*, 28
23 U.S.C. §2412(d) and that there will be no award of costs. This will represent compensation for
all legal services rendered by counsel for plaintiff in this civil action and in accordance with that
statute.

24 Upon the Court's order, defendant will consider the assignment of those *EAJA* fees
25 pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2252-2253 (2010), considering any offsets allowed
26 under the United States Department of Treasury's Offset Program. Fees shall be made payable to
27 plaintiff, but if the Treasury Department determines plaintiff owes no federal debt, then the
28 government shall pay the fees directly to Jesse S. Kaplan based on an assignment executed by
plaintiff and will deliver the payment to said counsel.

STIPULATION AND ORDER APPROVING SETTLEMENT OF ATTORNEY FEES UNDER

1 This stipulation constitutes a compromise settlement of plaintiff's request for *EAJA* fees
2 and not an admission of liability of defendant under the *EAJA*. Payment of this agreed amount
3 shall constitute a complete release and bar of plaintiff and her counsel regarding *EAJA* fees
4 relating to this action. This award is without prejudice to plaintiff's counsel's right to fees under
5 42 U.S.C. §406(b), subject to the savings clause provisions of the *EAJA*.

6 Dated: May 28, 2014

/s/ Jesse S. Kaplan

7 JESSE S. KAPLAN
8 Attorney for Plaintiff

9 Dated: May 28, 2014

/s/ per email authorization

10 ARMAND ROTH
11 Special Assistant U.S. Attorney
12 Attorney for Defendant

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15 **ORDER**

16 GOOD CAUSE APPEARING from the foregoing stipulation, IT IS ORDERED that
17 defendant pay plaintiff's attorney fees pursuant to the *EAJA* in accordance with this stipulation.

18 Dated: June 2, 2014

Carolyn K. Delaney

20 CAROLYN K. DELANEY
21 UNITED STATES MAGISTRATE JUDGE