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8 Attorney for Plaintiff,
9 ANTHONY MALDONADO

10
11 IN THE UNITED STATES DISTRICT COURT
12
13 EASTERN DISTRICT OF CALIFORNIA

14
15 ANTHONY MALDONADO,) Case No. 2:13-cv-00385-EFB
16 Plaintiff,)
17 v.) STIPULATION AND PROPOSED ORDER
18 CAROLYN W. COLVIN,) FOR THE AWARD OF ATTORNEY FEES
19 Commissioner of Social Security,) PURSUANT TO THE EQUAL ACCESS
20 Defendant.) TO JUSTICE ACT, 38 U.S.C. § 2412(d)

21 IT IS HEREBY STIPULATED by and between the parties through their undersigned
22 counsel, subject to the approval of the Court, that plaintiff be awarded attorney fees under the Equal
23 Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), in the amount of SEVEN THOUSAND
24 DOLLARS (\$7,000.00). This amount represents compensation for all legal services rendered on
25 behalf of plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. §§
26 1920, 2412(d).

27 Upon the Court's issuance of an order granting EAJA fees to plaintiff, the government will
28 consider the issue of plaintiff's assignment of EAJA fees to plaintiff's attorney. Pursuant to Astrue
v. Ratliff, 560 U.S. 586, 597-598 (2010), the ability to honor the assignment will depend on if the
fees are subject to any offset allowed under the United States Department of the Treasury's Offset
Program. After the order for EAJA fees is entered, the government will determine if they are subject
to any offset.

27 If the Department of the Treasury determines that plaintiff does not owe a federal debt, then
28 the government will cause the payment of fees to be made directly to plaintiff's attorney, LAW

STIPULATION AND PROPOSED ORDER
FOR AWARD OF EAJA ATTORNEY FEES

1 OFFICE OF JARED T. WALKER, P.C., pursuant to the assignment executed by plaintiff. Any
2 payments made will be delivered to JARED T. WALKER.

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

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

10 Dated: December 10, 2014

Respectfully submitted,

11 /s/ Jared Walker
12 JARED T. WALKER,
13 Attorney for Plaintiff Anthony Maldonado

14 BENJAMIN B. WAGNER
15 United States Attorney
16 DONNA L. CALVERT
17 Regional Chief Counsel, Region IX
18 Social Security Administration

19 Dated: December 10, 2014

20 /s/ Tina R. Saladino*
21 [*As authorized via e-mail on 12/10/2014]
22 TINA R. SALADINO
23 Special Assistant United States Attorney

24 **ORDER**

25 Based upon the parties' Stipulation for Award of Attorney Fees pursuant to the Equal Access
26 to Justice Act (EAJA), IT IS ORDERED that EAJA fees are awarded in the amount of SEVEN
27 THOUSAND DOLLARS (\$7,000.00) subject to the terms of the parties' Stipulation.

28 Dated: December 15, 2014.


29 EDMUND F. BRENNAN
30 UNITED STATES MAGISTRATE JUDGE