(SS) Freema	n v. Commissioner of Social Security		
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9	UNITED STATES DISTRICT COURT		
10	EASTERN DISTRICT OF CALIFORNIA		
11	SACRAMENTO DIVISION		
12	WILLIAM FREEMAN,) No. 2:13-cv-01388-AC	
13	Plaintiff,	STIPULATION FOR AWARD OF EAJA	
14	v.	FEES	
15	CAROLYN W. COLVIN, Acting Commissioner of Social Security,)	
16	Commissioner of Social Security,		
17	Defendant.		
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20	IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and with		
21	the approval of the Court as provided below, 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 seven thousand four hundred		
23	dollars (\$7,400.00), and costs in the amount of four hundred dollars (\$400) under 28 U.S.C. § 1920.		
24	This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel		
25	in connection with this civil action, in accordance with 28 U.S.C. §§ 1920, 2412(d).		
26	After the Court issues an order for EAJA fees to Plaintiff, the government will consider the		
27	matter of Plaintiff's assignment of EAJA fees to Plaintiff's attorney. Pursuant to <u>Astrue v.</u>		
28	Ratliff, 130 S. Ct. 2521 (U.S. June 14, 2010), the ability to honor the assignment will depend on		

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whether 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 whether they are subject to any offset.

Fees and costs shall be made payable to Plaintiff, but if the Department of the Treasury determines that Plaintiff does not owe a federal debt, then the government shall cause the payment of fees and costs to be made directly to plaintiff's counsel Joseph C. Fraulob, pursuant to the assignment executed by Plaintiff. Any payments made shall be delivered to Plaintiff's counsel Joseph C. Fraulob.

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

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Respectfully submitted,

Date: *November 17*, 2014

Law Offices of Hadley & Fraulob

By: /s/ Joseph Clayton Fraulob* JOSEPH CLAYTON FRAULOB *By email authorization

Attorney for Plaintiff

BENJAMIN B. WAGNER United States Attorney DONNA L. CALVERT Regional Chief Counsel, Region IX, Social Security Administration

By: /s/ Paul Sachelari PAUL SACHELARI

Special Assistant United States Attorney

Attorneys for Defendant

<u>ORDER</u> APPROVED AND SO ORDERED. DATED: November 18, 2014 auson Clane UNITED STATES MAGISTRATE JUDGE