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Attorneys for Plaintiff
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5 **IN THE UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF CALIFORNIA**

8 **CARI A. DAL SIS**
9 **xxx-xx-0697**

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11 **Plaintiff,**

12 **v.**

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

No. 2:13-cv-1559 DAD

STIPULATION AND ORDER APPROVING
SETTLEMENT OF ATTORNEY FEES
PURSUANT TO THE EQUAL ACCESS TO
JUSTICE ACT

17 IT IS HEREBY STIPULATED by and between the parties, through their undersigned counsel,
18 subject to the Court's approval, that Plaintiff be awarded attorney fees under the Equal Access to
19 Justice Act (EAJA), 28 U.S.C. § 2412(d), in the amount of FIVE THOUSAND TWO HUNDRED
20 SEVENTY SEVEN DOLLARS AND FIFTY EIGHT CENTS (**\$5277.58**). This amount represents
21 compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this
22 civil action, in accordance with 28 U.S.C. § 2412(d). After the Court issues an order for EAJA fees and
23 expenses to Plaintiff, the government will consider the matter of Plaintiff's assignment of EAJA fees
24 and expenses to Plaintiff's attorney. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521 (U.S. June 14, 2010),
25 the ability to honor the assignment will depend on whether the fees and expenses are subject to any
26 offset allowed under the United States Department of the Treasury's Offset Program. After the order
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1 for EAJA fees and expenses is entered, the government will determine whether they are subject to any
2 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 the
9 EAJA. Payment of the agreed amount shall constitute a complete release from, and bar to, any and all
10 claims that Plaintiff and/or Plaintiff's counsel may have relating to EAJA attorney fees and expenses
11 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: April 14, 2015

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

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20 Dated: April 15, 2015

Benjamin B. Wagner
United States Attorney
/s/ Sharon Lahey
SHARON LAHEY
Special Assistant United States Attorney
Attorneys for Defendant

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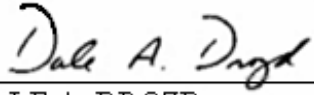
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ORDER

Pursuant to the parties' stipulation, IT IS SO ORDERED.

Dated: April 16, 2015



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DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE