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JOSEPH C. FRAULOB – CA State Bar #194355
Attorney For Plaintiff

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MANMOHAN PEGANY

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

No. 2:13-cv-01851 DAD

**STIPULATION AND ORDER FOR
AWARD OF EAJA FEES**

IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and with the approval of the Court as provided below, that Plaintiff be awarded attorney fees under the Equal Access To Justice Act (EAJA) 28 U.S.C. 2412(d), in the amount of four thousand, nine hundred and fifty dollars (\$4950.00). This amount represents compensation for legal services rendered on behalf of Plaintiff by his counsel in connection with this civil action, in accordance with 28 U.S.C. 2412(d).

After the Court issues an order for EAJA fees to Plaintiff, the government will consider the matter of Plaintiff's assignment of EAJA fees to Plaintiff's attorney. Pursuant to Astrue v. Ratliff, 130 S.Ct. 2521 (U.S. June 14, 2010), the ability to honor the assignment will depend on whether the fees are subject to any offset allowed under the United States Department of the Treasury's Offset Program. After the order to EAJA fees is entered, the government will determine if it is subject to any offset.

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

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

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11
12 DATE: May 4, 2015

By /s/ Joseph Clayton Fraulob
JOSEPH CLAYTON FRAULOB
Attorney for plaintiff

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15 DATE: May 4, 2015

BENJAMIN B. WAGNER
United States Attorney

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17 By /s/ Cynthia B. De Nardi

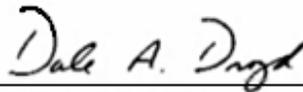
18 (As authorized via email)

19 CYNTHIA B. DE NARDI
20 Assistant Regional Counsel

21 **ORDER**

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

23 Dated: May 15, 2015

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25 _____
DALE A. DROZD
26 UNITED STATES MAGISTRATE JUDGE

27 Ddad1/orders.soc sec
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