

1 BENJAMIN B. WAGNER
 United States Attorney
 2 DONNA L. CALVERT
 Regional Chief Counsel, Region IX
 3 Social Security Administration
 LYNN M. HARADA, CSBN 267616
 4 Special Assistant United States Attorney
 5 160 Spear Street, Suite 800
 San Francisco, California 94105
 6 Telephone: (415) 977-8977
 7 Facsimile: (415) 744-0134
 E-Mail: Lynn.Harada@ssa.gov
 8 Attorneys for Defendant

9 **UNITED STATES DISTRICT COURT**
 10 **EASTERN DISTRICT OF CALIFORNIA**

11	AMIR HASSAN,)	Case No.: 2:13-CV-02019-CKD
12	Plaintiff,)	STIPULATION AND PROPOSED ORDER
13	vs.)	APPROVING SETTLEMENT OF
14	CAROLYN W. COLVIN,)	ATTORNEY FEES PURSUANT TO THE
15	Acting Commissioner of Social Security,)	EQUAL ACCESS TO JUSTICE ACT, 28
16	Defendant.)	U.S.C. § 2412(d), AND COSTS PURSUANT
)	TO 28 U.S.C. § 1920

17 IT IS HEREBY STIPULATED by and between the parties, through their undersigned
 18 counsel, that Plaintiff’s previously filed Notice of Motion and Motion for Award of Attorney
 19 Fees Pursuant to the Equal Access to Justice Act is hereby withdrawn.

20 IT IS HEREBY STIPULATED by and between the parties, through their undersigned
 21 counsel, subject to the Court’s approval, that Plaintiff be awarded attorney fees in the amount of
 22 THREE THOUSAND, SIX-HUNDRED DOLLARS AND ZERO CENTS (\$3,600.00) under the
 23 Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and costs in the amount of ZERO
 24 DOLLARS (\$0.00) under 28 U.S.C. § 1920. This amount represents compensation for all legal
 25 services rendered on behalf of Plaintiff by counsel in connection with this civil action, in
 26 accordance with 28 U.S.C. §§ 1920, 2412(d).

1 After the Court issues an order for EAJA fees to Plaintiff, the government will consider
2 the matter of Plaintiff's assignment of EAJA fees to Plaintiff's attorney. Pursuant to Astrue v.
3 Ratliff, 560 U.S. 586, 598 (2010), the ability to honor the assignment will depend on whether the
4 fees are subject to any offset allowed under the United States Department of the Treasury's
5 Offset Program. After the order for EAJA fees is entered, the government will determine
6 whether they are subject to any offset.

7 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines
8 that Plaintiff does not owe a federal debt, then the government shall cause the payment of fees,
9 expenses and costs to be made directly to Jesse S. Kaplan pursuant to the assignment executed
10 by Plaintiff. Any payments made shall be delivered to Plaintiff's counsel.

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

16 This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security
17 Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of the
18 EAJA.

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20 Respectfully submitted,

21 Dated: February 12, 2015 By: /s/ Lynn M. Harada for Jesse S. Kaplan*
22 (As authorized by email on 2/10/15)
23 JESSE S. KAPLAN
24 Attorney for Plaintiff

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

Dated: February 12, 2015 By: /s/ Lynn M. Harada

1 LYNN M. HARADA
2 Special Assistant United States Attorney
3 Attorneys for Defendant

4 **ORDER**

5 PURSUANT TO STIPULATION, IT IS SO ORDERED that Plaintiff shall be awarded
6 attorney fees in the amount of THREE THOUSAND, SIX-HUNDRED DOLLARS AND ZERO
7 CENTS (\$3,600.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and
8 costs in the amount of ZERO DOLLARS (\$0.00) under 28 U.S.C. § 1920, subject to the terms of
9 the above-referenced Stipulation.

10 Dated: February 17, 2015

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13 CAROLYN K. DELANEY
14 UNITED STATES MAGISTRATE JUDGE
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