

1 PAUL H. SALTZEN SBN 155053
2 Attorney at Law
3 P.O. Box 940
4 Shingle Springs, California 95682-0940

5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF CALIFORNIA
7

8 RICHARD KIRK,

Case No.: 2:13-CV-02342-CMK

9 Plaintiff,

10 vs.

**STIPULATION AND ORDER RE
EAJA ATTORNEY'S FEES AND
COSTS**

11
12 COMMISSIONER OF SOCIAL
13 SECURITY,

14 Defendant.

15 TO THE HONORABLE CRAIG M. KELLISON, MAGISTRATE
16 JUDGE OF THE DISTRICT COURT:
17

18 IT IS HEREBY STIPULATED by and between the parties through
19 their undersigned counsel, subject to the approval of the Court, that PLAINTIFF
20 RICHARD KIRK be awarded attorney fees and expenses in the amount of
21 \$1,944.80 attorney fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. §
22 2412(d) and \$456.60 in costs under 28 USC § 1920. This amount represents
23 compensation for all legal services rendered on behalf of PLAINTIFF by counsel
24 in connection with this civil action, in accordance with 28 U.S.C. §§1920; 2412(D).
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26
27

28 Fees shall be made payable to PLAINTIFF RICHARD KIRK.

1 This stipulation constitutes a compromise settlement of KIRK v
2 COMMISSIONER OF SOCIAL SECURITY 2:13-CV-02342-CMK request for
3 EAJA attorney fees, and does not constitute an admission of liability on the part of
4 DEFENDANT under the EAJA or otherwise. Payment of the agreed amount shall
5 constitute a complete release from, and bar to, any and all claims that PLAINTIFF
6 RICHARD KIRK or his attorney Paul Saltzen may have relating to EAJA attorney
7 fees in connection with this action.
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10 This award is without prejudice to the rights of plaintiff's counsel to
11 seek Social Security Act attorney fees under 42 U.S.C. § 406(b), subject to the
12 savings clause provisions of the EAJA.
13

14
15 DATED: 01/04/2016

Respectfully submitted,

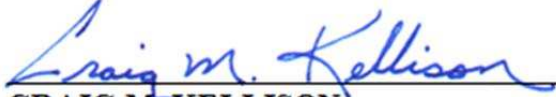
16 BY: /s/ Paul H. Saltzen
17 Paul Saltzen, Attorney
18 COUNSEL FOR PLAINTIFF

19 DATED:

20 BY: /s/ Patrick W. Snyder
21 Patrick W. Snyder
22 Special Assistant United States Attorney
23 Attorneys for Defendant Michael J. Astrue,
24 Commissioner of Social Security
(Per e-mail authorization)

25 IT IS SO ORDERED.

26 Dated: January 6, 2016

27 
28 **CRAIG M. KELLISON**
UNITED STATES MAGISTRATE JUDGE