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 6 Attorney For Plaintiff

7  
 8 UNITED STATES DISTRICT COURT  
 9 EASTERN DISTRICT OF CALIFORNIA  
 10

11  
 12 ROGER L. ANDERSON

13 Plaintiff,

14 v.

15 CAROLYN W. COLVIN,  
 16 COMMISSIONER OF SOCIAL SECURITY,  
 17 Defendant.

No. 2:14-cv-00708 AC (TEMP)

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

18 IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and  
 19 with the approval of the Court as provided below, that Plaintiff be awarded attorney fees under  
 20 the Equal Access To Justice Act (EAJA) 28 U.S.C. 2412(d), in the amount of seven thousand,  
 21 five hundred dollars (\$7500.00). This amount represents compensation for legal services  
 22 rendered on behalf of Plaintiff by his counsel in connection with this civil action, in accordance  
 23 with 28 U.S.C. 2412(d). The parties additionally stipulate that Plaintiff shall be awarded costs  
 24 under 28 U.S.C. 1920 in the amount of four hundred dollars (\$400.00).

25 After the Court issues an order for EAJA fees to Plaintiff, the government will consider  
 26 the matter of Plaintiff’s assignment of EAJA fees to Plaintiff’s attorney. Pursuant to Astrue v.  
 27 Ratliff, 130 S.Ct. 2521 (U.S. June 14, 2010), the ability to honor the assignment will depend on  
 28 whether the fees are subject to any offset allowed under the United States Department of the

1 Treasury's Offset Program. After the order to EAJA fees is entered, the government will  
2 determine if it is subject to any offset.

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

7 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA  
8 attorney fees 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  
10 and all claims that Plaintiff and/or Plaintiff's counsel may have relating to EAJA attorney fees  
11 and costs in connection with this action.

12  
13  
14 DATE: November 6, 2015 By /s/ Joseph Clayton Fraulob  
15 JOSEPH CLAYTON FRAULOB  
16 Attorney for plaintiff


17 DATE: November 6, 2015 BENJAMIN B. WAGNER  
18 United States Attorney

19 By /s/ Sharon Lahey  
20 (As authorized via email)  
21 SHARON LAHEY  
22 Assistant Regional Counsel

23 **ORDER**

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

25 DATED: November 18, 2015

26   
27 ALLISON CLAIRE  
28 UNITED STATES MAGISTRATE JUDGE