

1 BENJAMIN B. WAGNER
 United States Attorney
 2 DEBORAH LEE STACHEL, CSBN 230138
 Acting Regional Chief Counsel, Region IX
 3 Social Security Administration
 DONNA W. ANDERSON, PSBN 46355
 4 Special Assistant United States Attorney
 Assistant Regional Counsel
 5 Social Security Administration, Region IX
 6 160 Spear Street, Suite 800
 San Francisco, California 94105
 7 Tel: (415) 977-8943
 Fax: (415) 744-0134
 8 E-mail: donna.w.anderson@ssa.gov

9 Attorneys for Defendant

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 11 UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA
 12 SACRAMENTO DIVISION

13
 14 DORRANCE BYRD,

15 Plaintiff,

16 v.

17 CAROLYN W. COLVIN, Acting
 18 Commissioner of Social Security,

19 Defendant.

No. 2:14-cv-02036-EFB (TEMP)

STIPULATION AND ORDER FOR THE
 AWARD OF ATTORNEY FEES UNDER THE
 EQUAL ACCESS TO JUSTICE ACT (EAJA) 28
 U.S.C. § 2412(d)

20 The Parties through their undersigned counsel, subject to the Court's approval, stipulate that
 21 Plaintiff be awarded attorney fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d),
 22 in the amount of TWO THOUSAND DOLLARS, SEVEN HUNDRED FIFTY-ONE DOLLARS
 23 AND NINETY-THREE CENTS (\$2,751.93). This amount represents compensation for all legal
 24 services rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance
 25 with 28 U.S.C. § 2412(d).

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1 After the Court issues an order for EAJA fees to Plaintiff, the government will consider the
2 matter of Plaintiff's assignment of EAJA fees to counsel. Pursuant to *Astrue v. Ratliff*, 560 U.S. 586,
3 598, 130 S.Ct. 2521, 177 L.Ed.2d 91 (2010), the ability to honor the assignment will depend on
4 whether the fees are subject to any offset allowed under the United States Department of the
5 Treasury's 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 that
8 Plaintiff does not owe a federal debt, then the government shall cause the payment of fees, expenses
9 and costs to be made directly to counsel, pursuant to the assignment executed by Plaintiff. Any
10 payments made shall be delivered to counsel.

11 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA fees, and
12 does not constitute an admission of liability on the part of Defendant under the EAJA. Payment of
13 TWO THOUSAND DOLLARS, SEVEN HUNDRED FIFTY-ONE DOLLARS AND NINETY-
14 THREE CENTS (\$2,751.93) in EAJA attorney fees shall constitute a complete release from, and bar
15 to, any and all claims that Plaintiff Dorrance Byrd and Plaintiff's attorney, Jesse Kaplan, may have
16 relating to EAJA attorney fees in connection with this action.

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

19 Respectfully submitted,

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21 Dated: December 15, 2015

/s/ Jesse Kaplan*

JESSE KAPLAN

Attorney for Plaintiff Dorrance Byrd

*By email authorization on 12/11/15

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Dated: December 15, 2015

BENJAMIN B. WAGNER
United States Attorney
DEBORAH LEE STACHEL
Acting Regional Chief Counsel, Region IX
Social Security Administration

By: /s/ Donna W. Anderson
DONNA W. ANDERSON
Special Assistant U.S. Attorney
Attorneys for Defendant

CONCLUSION

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

Dated: December 29, 2015.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE