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5 **Attorney for Plaintiff**  
 6 **VYACHESLAV HRYZHUK**

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 10 **UNITED STATES DISTRICT COURT**  
 11 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
 12 **-o000o-**

14 **VYACHESLAV HRYZHUK,** )  
 15 )  
 16 **Plaintiff,** )  
 17 )  
 18 **v.** )  
 19 )  
 18 **Carolyn Colvin,** )  
**ACTING COMMISSIONER OF SOCIAL** )  
 19 **SECURITY,** )  
 20 )  
 21 **Defendant.** )

**No. 2:14-CV-02561-EFB**

**STIPULATION AND  
 PROPOSED ORDER  
 APPROVING SETTLEMENT  
 OF ATTORNEY FEES UNDER  
 THE EQUAL ACCESS TO  
 JUSTICE ACT  
 [28 U.S.C. §2412(d)]**

22  
 23 THE PARTIES STIPULATE through the undersigned, subject to the approval of the  
 24 Court, that plaintiff be awarded attorney fees in the amount of Three Thousand One Hundred  
 25 Dollars (\$3,100.00) under the *Equal Access to Justice Act*, 28 U.S.C. §2412(d) and that there will  
 26 be no award of costs. This will represent compensation for all legal services rendered by counsel  
 27 for plaintiff in this civil action and in accordance with that statute.  
 28

1           Upon the Court's order, defendant will consider the assignment of those *EAJA* fees  
2 pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2252-2253 (2010), considering any offsets allowed  
3 under the United States Department of Treasury's Offset Program. Fees shall be made payable to  
4 plaintiff, but if the Treasury Department determines plaintiff owes no federal debt, then the  
5 government shall pay the fees directly to Jesse S. Kaplan based on an assignment executed by  
6 plaintiff and will deliver the payment to said counsel.  
7

8           This stipulation constitutes a compromise settlement of plaintiff's request for *EAJA* fees  
9 and not an admission of liability of defendant under the *EAJA*. Payment of this agreed amount  
10 shall constitute a complete release and bar of plaintiff and her counsel regarding *EAJA* fees  
11 relating to this action. This award is without prejudice to plaintiff's counsel's right to fees under  
12 42 U.S.C. §406(b), subject to the savings clause provisions of the *EAJA*.  
13

14           Dated: May 6, 2016

/s/ Jesse S. Kaplan

JESSE S. KAPLAN  
Attorney for Plaintiff

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18           Dated: May 6, 2016

/s/ per email authorization

JEFFREY CHEN  
Special Assistant U.S. Attorney  
Attorney for Defendant

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20  
21           **ORDER**

22           GOOD CAUSE APPEARING from the foregoing stipulation, IT IS ORDERED that  
23 defendant pay plaintiff's attorney fees pursuant to the *EAJA* in accordance with this stipulation.  
24

25           DATED: May 10, 2016.

26             
27           EDMUND F. BRENNAN  
28           UNITED STATES MAGISTRATE JUDGE