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

12
 13 KIMBERLY Y. MADKINS,) CASE NO. 2:14-cv-02750-EFB
)
 14 Plaintiff,) STIPULATION AND ~~PROPOSED~~ ORDER
 vs.) FOR THE AWARD OF ATTORNEY FEES
 15) PURSUANT TO THE EQUAL ACCESS TO
 16 CAROLYN W. COLVIN,) JUSTICE ACT, 28 U.S.C. § 2412(d)
 Acting Commissioner of Social Security,)
 17 Defendant.)
)
 18)
 19)
 20)
 21)

22 The parties stipulate that, subject to the approval of the Court, that Plaintiff be awarded
 23 attorney fees under the EAJA in the amount of SIX THOUSAND EIGHT HUNDRED dollars
 24 (\$6,800). This amount represents compensation for all legal services rendered on behalf of Plaintiff,
 25 to date, by counsel in connection with this civil action, in accordance with 28 U.S.C. § 2412.

26 After the Court issues an order for EAJA fees and expenses to Plaintiff, the government will
 27 consider the matter of Plaintiff's assignment of EAJA fees and expenses to Plaintiff's attorney.
 28 Pursuant to *Astrue v. Ratliff*, 560 U.S. 586 (2010), the ability to honor the assignment will depend on

1 whether the fees, expenses are subject to any offset allowed under the United States Department of
2 the Treasury's Offset Program. After the order for EAJA fees and expenses is entered, the
3 government will determine whether they are subject to any offset.

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

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

13 This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security Act
14 attorney fees under 42 U.S.C. § 406, subject to the offset provisions of the EAJA.

15 Respectfully submitted April 26, 2016

16 DATED: April 26, 2016

17 s/ Jared Walker
18 JARED WALKER
19 (as authorized by email)
20 Attorney for Plaintiff

21 BENJAMIN B. WAGNER
22 United States Attorney

23 DATE: April 26, 2016

24 By s/ Daniel P. Talbert
25 DANIEL P. TALBERT
26 Special Assistant United States Attorney
27 Attorneys for Defendant

28 ORDER

Pursuant to stipulation, it is so ordered.

DATED: April 27, 2016.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE