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5 *Attorneys for Plaintiff*

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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
10

11 LUFOW SAECHAO,  
12 Plaintiff,  
13 vs.  
14 CAROLYN W. COLVIN,  
Acting Commissioner of Social Security,  
15 Defendant,

**2:14-CV-02886-KJN**

**STIPULATION AND PROPOSED ORDER**

16  
17 IT IS HEREBY STIPULATED by and between the parties, through their assigned counsel,  
18 subject to the Court's approval, that plaintiff be awarded attorney fees under the Equal Access to Justice  
19 Act, (EAJA) in the amount of FOUR THOUSAND, TWO HUNDRED DOLLARS (\$4,200.00). This  
20 amount represents compensation for all legal services counsel rendered on behalf of Plaintiff in  
21 connection with this civil action, in accordance with 28 U.S.C. section 2412(d).

22 After the Court issues an order for EAJA fees to Plaintiff, the government will consider the  
23 matter of Plaintiff's assignment of EAJA fees to Plaintiff's attorney. Pursuant to Astrue v. Ratliff, 560  
24 U.S. 586, 598 (2010), the ability to honor the assignment will depend on whether the fees are subject to  
25 any offset allowed under the United States Department of the Treasury's Offset Program. After the order  
26 for EAJA fees is entered, the government will determine whether they are subject to any offset.

27 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines that  
28 Plaintiff does not owe a federal debt, then the government shall cause the payment of fees approved to

1 be made directly to Stephen A. Valizan, pursuant to the assignment executed by Plaintiff. Any payments  
2 made shall be delivered to Plaintiff's counsel.

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

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

9  
10 Respectfully submitted,

11 Dated: April 19, 2016

/s/ Stephen A. Valizan  
STEPHEN A. VALIZAN  
Attorney for Plaintiff

12  
13  
14 Dated: April 19, 2016

BENJAMIN B. WAGNER  
United States Attorney

DEBORAH LEE STACHEL  
Acting Regional Chief Counsel, Region IX  
Social Security Administration

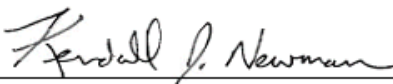
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18 By: /s/ Marcelo Illarmo  
MARCELO ILLARMO  
(\*as authorized via e-mail on April 19, 2016)  
Special Assistant United States Attorney

19  
20  
21 Attorneys for Defendant

22 ORDER

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24 APPROVED AND SO ORDERED:

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26 Dated: April 21, 2016

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28 KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE