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5 JOSEPH C. FRAULOB – CA State Bar #194355
 6 Attorney For Plaintiff

7 UNITED STATES DISTRICT COURT
 8 EASTERN DISTRICT OF CALIFORNIA

9 EMILYANN NICOLE RASMUSSEN,
 10 Plaintiff,

No. 2:15-cv-00079-DB

11 vs.

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

13 COMMISSIONER OF SOCIAL SECURITY,
 14 Defendant

15 IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and
 16 with the approval of the Court as provided below, that Plaintiff be awarded attorney fees under
 17 the Equal Access To Justice Act (EAJA) 28 U.S.C. 2412(d), in the amount of four thousand and
 18 forty dollars (\$4040.00). This amount represents compensation for all legal services rendered on
 19 behalf of Plaintiff by her counsel in connection with this civil action, in accordance with 28
 20 U.S.C. 2412(d).

21 After the Court issues an order for EAJA fees to Plaintiff, the government will consider
 22 the matter of Plaintiff’s assignment of EAJA fees to Plaintiff’s attorney. Pursuant to Astrue v.
 23 Ratliff, 130 S.Ct. 2521 (U.S. June 14, 2010), the ability to honor the assignment will depend on
 24 whether the fees are subject to any offset allowed under the United States Department of the
 25 Treasury’s Offset Program. After the order to award EAJA fees is entered, the government will
 26 determine if it is subject to any offset.

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

1 payment of fees and costs to be made directly to Plaintiff's counsel Joseph C. Fraulob, pursuant
2 to the written assignment executed by Plaintiff. Any payments shall be delivered to Plaintiff's
3 counsel Joseph C. Fraulob.

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

9
10 DATE: April 21, 2017

11 *By /s/ Joseph Clayton Fraulob*
12 JOSEPH CLAYTON FRAULOB
13 Attorney for plaintiff

14 DATE: April 21, 2017

15 PHILLIP A. TALBERT
16 United States Attorney

17 *By /s/ Timothy Bolin*
18 (As authorized via email)
19 TIMOTHY BOLIN
20 Assistant Regional Counsel
21 Attorneys for Defendant

22 ORDER

23 Pursuant to the parties' stipulation, (ECF No. 29), IT IS SO ORDERED.

24 DATED: May 1, 2017

25 /s/ DEBORAH BARNES
26 UNITED STATES MAGISTRATE JUDGE
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