

1 SHELLIE LOTT, SBN: 246202  
 2 Cerney Kreuze & Lott, LLP  
 3 42 N. Sutter Street, Suite 400  
 4 Stockton, California 95202  
 Telephone: (209) 948-9384  
 Facsimile: (209) 948-0706

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6 Attorney for Plaintiff

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO BRANCH

10 AMANDA MARIE HENDERSON,  
 11 Plaintiff,

Case No.: 2:15-cv-00096-EFB

12 vs.

13 CAROLYN W. COLVIN,  
 14 Acting Commissioner of Social Security,  
 15 Defendant

STIPULATION AND ~~PROPOSED~~ ORDER  
 FOR THE AWARD OF ATTORNEY FEES  
 PURSUANT TO THE EQUAL ACCESS TO  
 JUSTICE ACT, 28 U.S.C. § 2412(d) AND  
 COSTS PURSUANT TO 28 U.S.C. § 1920

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19 IT IS HEREBY STIPULATED by and between the parties through their undersigned  
 20 counsel, subject to the approval of the Court, that Plaintiff be awarded attorney fees under the  
 21 EAJA in the amount of FIVE THOUSAND FOUR HUNDRED DOLLARS AND ZERO  
 22 CENTS (\$5,400.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and  
 23 COSTS in the amount of FOUR HUNDRED TWENTY-SIX AND SEVENTY-SIX CENTS  
 24 (\$426.76) under 28 U.S.C. § 1920. This amount represents compensation for all legal services  
 25 rendered on behalf of Plaintiff, to date, by counsel in connection with this civil action, in  
 26 accordance with 28 U.S.C. § 2412.  
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STIPULATION AND ~~PROPOSED~~ ORDER FOR THE AWARD OF ATTORNEY FEES  
 PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT, 28 U.S.C. § 2412(d) AND  
 COSTS PURSUANT TO 28 U.S.C. § 1920

1 After the Court issues an order for EAJA fees and expenses to Plaintiff, the government  
2 will consider the matter of Plaintiff's assignment of EAJA fees and expenses to Plaintiff's  
3 attorney. Pursuant to Astrue v. Ratliff, 130 S.Ct. 2521 (2010), the ability to honor the  
4 assignment will depend on whether the fees and expenses are subject to any offset allowed under  
5 the United States Department of the Treasury's Offset Program. After the order for EAJA fees  
6 and expenses is entered, the government will determine whether they are subject to any offset.  
7 Fees and expenses shall be made payable to Plaintiff, but if the Department of the Treasury  
8 determines that Plaintiff does not owe a federal debt, then the government shall cause the  
9 payment of fees, expenses and costs to be made directly to Shellie Lott, pursuant to the  
10 assignment executed by Plaintiff. Any payments made shall be delivered to Plaintiff's counsel.  
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12

13 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA  
14 attorney fees and expenses, and does not constitute an admission of liability on the part of  
15 Defendant under the EAJA. Payment of the agreed amount shall constitute a complete release  
16 from, and bar to, any and all claims that Plaintiff and/or Plaintiff's counsel may have relating to  
17 EAJA attorney fees and expenses in connection with this action.  
18

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

23 Dated: December 10, 2015

/s/ Shellie Lott

SHELLIE LOTT

Attorney for Plaintiff

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BENJAMIN B. WAGNER  
United States Attorney  
DEBORAH L. STACHEL  
Acting Regional Chief Counsel

Date: December 10, 2015

/s/ Marcelo N. Illarmo  
(As authorized via email on 12/09/15)  
Special Assistant United States Attorney

**ORDER**

Pursuant to the stipulation, it is so ordered.

DATE: December 14, 2015

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE