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7
 8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA
 10

11 RODRIGO LOPEZ VILLA
 12 Plaintiff,
 13 v.
 14 CAROLYN W. COLVIN, ACTING
 15 COMMISSIONER OF SOCIAL SECURITY,
 16 Defendant.

No. 2:15-cv-00112-EFB (TEMP)

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

17 IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and
 18 with the approval of the Court as provided below, that Plaintiff be awarded attorney fees under
 19 the Equal Access To Justice Act (EAJA) 28 U.S.C. 2412(d), in the amount of five thousand, six
 20 hundred dollars (\$5600.00). This amount represents compensation for legal services rendered on
 21 behalf of Plaintiff by his counsel in connection with this civil action, in accordance with 28
 22 U.S.C. 2412(d). The parties additionally stipulate that Plaintiff shall be awarded costs under 28
 23 U.S.C. 1920 in the amount of four hundred dollars (\$400.00).

24 After the Court issues an order for EAJA fees to Plaintiff, the government will consider
 25 the matter of Plaintiff’s assignment of EAJA fees to Plaintiff’s attorney. Pursuant to *Astrue v.*
 26 *Ratliff*, 130 S.Ct. 2521 (U.S. June 14, 2010), the ability to honor the assignment will depend on
 27 whether the fees are subject to any offset allowed under the United States Department of the
 28

1 Treasury's Offset Program. After the order to EAJA fees is entered, the government will
2 determine if it is subject to any offset.

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

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

12 DATED: June 20, 2016 *By /s/ Joseph Clayton Fraulob*
13 JOSEPH CLAYTON FRAULOB
14 Attorney for Plaintiff

15 DATED: June 20, 2016 PHILLIP A. TALBERT
16 Acting United States Attorney

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

20 *By /s/ Donna W. Anderson*
21 (as authorized via email)
22 DONNA W. ANDERSON
23 Special Assistant United States Attorney
24 Attorneys for Defendant

25 **ORDER**

26 Pursuant to the parties' stipulation, IT IS SO ORDERED.

27 DATED: June 22, 2016.

28 
EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE