

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

7  
8 Attorney for Plaintiff

9 UNITED STATES DISTRICT COURT

10 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO BRANCH

11 DARRYL EDWIN LANG,

12 Plaintiff,

13 vs.

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

16 Defendant

Case No.: 2:15-CV-00624-CKD

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

17  
18  
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 SIX THOUSAND DOLLARS (\$6,000.00). This amount represents  
22 compensation for all legal services rendered on behalf of Plaintiff, to date, by counsel in  
23 connection with this civil action, in accordance with 28 U.S.C. § 2412.  
24

25 After the Court issues an order for EAJA fees and expenses to Plaintiff, the government  
26 will consider the matter of Plaintiff's assignment of EAJA fees and expenses to Plaintiff's  
27 attorney. Pursuant to Astrue v. Ratliff, 130 S.Ct. 2521 (2010), the ability to honor the  
28 assignment will depend on whether the fees and expenses are subject to any offset allowed under

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

1 the United States Department of the Treasury's Offset Program. After the order for EAJA fees  
2 and expenses is entered, the government will determine whether they are subject to any offset.  
3 Fees and expenses shall be made payable to Plaintiff, but if the Department of the Treasury  
4 determines that Plaintiff does not owe a federal debt, then the government shall cause the  
5 payment of fees, expenses and costs to be made directly to Shellie Lott, pursuant to the  
6 assignment executed by Plaintiff. Any payments made shall be delivered to Plaintiff's counsel.  
7

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

14 This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security  
15 Act attorney fees under 42 U.S.C. § 406, subject to the offset provisions of the EAJA.  
16

17 Respectfully submitted,

18 Dated: April 12, 2016

/s/ Shellie Lott  
SHELLIE LOTT  
Attorney for Plaintiff

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

23 Date: April 12, 2016

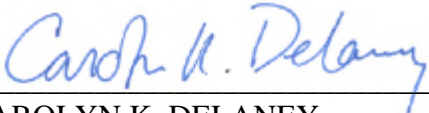
/s/ Jean Turk  
(As authorized via email on 04/12/16)  
JEAN TURK  
Special Assistant United States Attorney

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

Pursuant to the stipulation, it is so ordered.

Dated: April 15, 2016



---

CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE