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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 KEVIN ALONZO ROE,  
 10 Plaintiff,

No. 2:15-cv-00629-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,  
 18 eight hundred dollars (\$4800.00). This amount represents compensation for all legal services  
 19 rendered on behalf of Plaintiff by his counsel in connection with this civil action, in accordance  
 20 with 28 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 EAJA fees is entered, the government will  
 26 determine if it is subject to any offset.

27 Fees and costs 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 7, 2017

By /s/ Joseph Clayton Fraulob  
JOSEPH CLAYTON FRAULOB  
Attorney for plaintiff

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13  
14 DATE: April 7, 2017

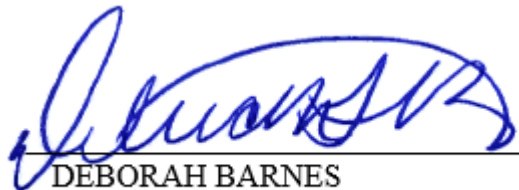
PHILLIP A. TALBERT  
United States Attorney

By /s/ Richard Rodriguez  
(As authorized via email on April 7, 2017)  
RICHARD RODRIGUEZ  
Assistant Regional Counsel  
Attorneys for Defendant

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19 **ORDER**

20 Pursuant to the parties' stipulation, (ECF No. 22), IT IS SO ORDERED.

21  
22 Dated: April 11, 2017

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26 DEBORAH BARNES  
27 UNITED STATES MAGISTRATE JUDGE

28 DLB:6  
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