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 Attorneys for Plaintiff

4 **IN THE UNITED STATES DISTRICT COURT**  
 5 **EASTERN DISTRICT OF CALIFORNIA**

7 **SABRINA LYNN FRENCH** )  
 8 )  
 Plaintiff, )  
 9 )  
 v. )  
 10 )  
 11 )  
**CAROLYN W. COLVIN** )  
 12 **ACTING COMMISSIONER OF SSA,** )  
 Defendant. )  
 13 )

**Case No. 15-743 EFB**

**STIPULATION AND ORDER APPROVING  
 SETTLEMENT OF ATTORNEY FEES  
 PURSUANT TO THE EQUAL ACCESS TO  
 JUSTICE ACT**

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 15 IT IS HEREBY STIPULATED by and between the parties, through their undersigned  
 16 counsel, subject to the Court’s approval, that Plaintiff be awarded attorney fees under the Equal  
 17 Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), in the amount of FIVE THOUSAND FIVE  
 18 HUNDRED THIRTEEN DOLLARS AND ZERO CENTS (**\$5,513.00**). This amount represents  
 19 compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this  
 20 civil action, in accordance with 28 U.S.C. § 2412(d). After the Court issues an order for EAJA fees  
 21 and expenses to Plaintiff, the government will consider the matter of Plaintiff’s assignment of EAJA  
 22 fees and expenses to Plaintiff’s attorney. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521 (U.S. June 14,  
 23 2010), the ability to honor the assignment will depend on whether the fees and expenses are subject  
 24 to any offset allowed under the United States Department of the Treasury’s Offset Program.

25 Fees and expenses shall be made payable to Plaintiff, but if the Department of the Treasury  
 26 determines that Plaintiff does not owe a federal debt, then the government shall cause the payment of  
 27 fees, expenses and costs to be made directly to Bess M. Brewer, pursuant to the assignment executed  
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1 by Plaintiff. Any payments made shall be delivered to Plaintiff's counsel.

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

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

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Dated: February 7, 2017

/s/Bess M. Brewer  
BESS M. BREWER  
Attorney at Law  
Attorney for Plaintiff

Dated: February 7, 2017

Phillip A. Talbert  
Acting United States Attorney

/s/ Tina Saladino  
TINA SALADINO  
Special Assistant United States Attorney  
Attorneys for Defendant

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED that Plaintiff shall be awarded attorney fees  
in the amount of FIVE THOUSAND FIVE HUNDRED THIRTEEN DOLLARS AND ZERO  
CENTS (**\$5,513.00**). , as authorized by 28 U.S.C. § 2412(d), subject to the terms of the  
above-referenced Stipulation.

DATED: February 9, 2017.

  
HONORABLE EDMUND F. BRENNAN.  
U.S. MAGISTRATE JUDGE