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9	Attorneys for Plaintiff	
10	Attorneys for Framitin	
11		
12		
13	IN THE UNITED STATES DISTRICT COURT	
14	EASTERN DISTRICT OF CALIFORNIA	
15		
16	MICHELLE ANN HIDALGO,	No. 2:15-cv-1342 DB
17	Plaintiff,	140. 2.13-CV-1342 DB
18	Fiantin,	STIPULATION AND ORDER
19	VS.	FOR THE AWARD OF ATTORNEY FEES
20	NANCY A. BERRYHILL,	PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT, 28 U.S.C. § 2412(d)
21	Acting Commissioner of Social Security,	
22	Defendant	
23		•
24	IT IS HEREBY STIPULATED by and between the parties through their undersigned	
25	counsel, subject to the approval of the Court, that Plaintiff be awarded attorney fees under the	
26	EAJA in the amount of SIX THOUSAND ONE HUNDRED SIXTY SIX DOLLARS AND 00	
27		
28	CENTS (\$6166.00). This amount represents a negotiated compensation for all legal services	
	STIPULATION AND ORDER FOR THE AWARD OF ATTORNEY FEES PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT, 28 U.S.C. § 2412(d)	

rendered on behalf of Plaintiff, to date, by counsel in connection with this civil action, in accordance with 28 U.S.C. § 2412.

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

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

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

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Dated: May 16, 2016

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Respectfully submitted,

/s/ Shellie Lott SHELLIE LOTT Attorney for Plaintiff

PHILLIP A. TALBERT United States Attorney DEBORAH LEE STACHEL Regional Chief Counsel Date: May 16, 2017 /s/ Patrick William Snyder (As authorized via email) PATRICK WILLIAM SNYDER Special Assistant United States Attorney **ORDER** Pursuant to the parties' stipulation, IT IS SO ORDERED. Dated: May 22, 2017 UNITED STATES MAGISTRATE JUDGE DB\orders\orders.soc sec\hidalgo1342.stip.eaja.ord 

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