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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 DELBERT LEON SULLENS,
 10 Plaintiff,

CIV. NO. 2:15-CV-001537-CMK

11 vs.

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

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 three thousand,
 18 one hundred dollars (\$3100.00). 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: January 17, 2017 By /s/ Joseph Clayton Fraulob
11 JOSEPH CLAYTON FRAULOB
12 Attorney for plaintiff

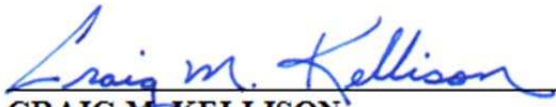
13
14 DATE: January 17, 2017 PHILLIP A. TALBERT
15 United States Attorney

16 By /s/ Carolyn B. Chen
17 (As authorized via email on January 17, 2017)
18 CAROLYN B. CHEN
19 Special Assistant U.S. Attorney
20 Attorneys for Defendant

21 ORDER

22 APPROVED AND SO ORDERED

23 Dated: January 18, 2017

24 
25 **CRAIG M. KELLISON**
26 UNITED STATES MAGISTRATE JUDGE