

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 Linda Ziskin, SBN: 196293  
8 Ziskin Law Office  
9 PO Box 753833  
10 Las Vegas, NV 89136  
11 Telephone: (503) 889-0472  
12 Facsimile: (888) 889-5776

13 Attorneys for Plaintiff

14 IN THE UNITED STATES DISTRICT COURT  
15 EASTERN DISTRICT OF CALIFORNIA

16 ROBERT MATTHEW GONZALES,  
17 Plaintiff,

18 vs.

19 COMMISSIONER OF SOCIAL SECURITY,  
20 Defendant  
21  
22

No. 2:15-cv-01771 DB

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

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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 DOLLARS AND NO CENTS  
27 (\$6100.00). This amount represents a negotiated compensation for all legal services rendered on  
28

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

3           After the Court issues an order for EAJA fees and expenses to Plaintiff, the government  
4 will consider the matter of Plaintiff's assignment of EAJA fees and expenses to Plaintiff's  
5 attorney. Pursuant to Astrue v. Ratliff, 130 S.Ct. 2521 (2010), the ability to honor the  
6 assignment will depend on whether the fees and expenses are subject to any offset allowed under  
7 the United States Department of the Treasury's Offset Program. After the order for EAJA fees  
8 and expenses is entered, the government will determine whether they are subject to any offset.  
9 Fees and expenses shall be made payable to Plaintiff, but if the Department of the Treasury  
10 determines that Plaintiff does not owe a federal debt, then the government shall cause the  
11 payment of fees, expenses and costs to be made directly to Plaintiff's attorney, Shellie Lott, at  
12 the law firm of Cerney, Kreuze and Lott, LLP, as captioned above, pursuant to the  
13 assignment executed by Plaintiff. Any payments made shall be delivered directly to Plaintiff's  
14 attorney at the address above.  
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18           This stipulation constitutes full settlement of Plaintiff's request for EAJA attorney fees  
19 and expenses, and does not constitute an admission of liability on the part of Defendant under the  
20 EAJA. Payment of the agreed amount shall constitute a complete release from, and bar to, any  
21 and all claims that Plaintiff and/or Plaintiff's counsel may have relating to EAJA attorney fees  
22 and expenses in connection with this action.  
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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.

Respectfully submitted,

Dated: May 26, 2016

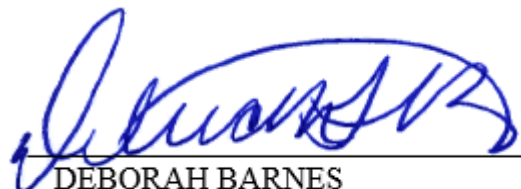
/s/ Linda Ziskin  
Linda Ziskin  
Of Attorneys for Plaintiff

PHILLIP A. TALBERT  
United States Attorney  
DEBORAH LEE STACHEL  
Regional Chief Counsel

Date: May 26, 2017

/s/ Ben Porter  
(As authorized via email)  
BEN A. PORTER  
Special Assistant United States Attorney

Dated: May 30, 2017

  
DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

**ORDER**

Pursuant to the parties' stipulation, IT IS SO ORDERED.

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