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9
 10 UNITED STATES DISTRICT COURT
 11 EASTERN DISTRICT OF CALIFORNIA
 12 SACRAMENTO DIVISION

14 ALICE MARIE CARROLL,) Case No. 2:15-CV-02076-EFB
)
 15 Plaintiff,) STIPULATION and ~~PROPOSED~~ ORDER
 v.) AWARDING EQUAL ACCESS TO
 16) JUSTICE ACT (EAJA) ATTORNEY FEES
 NANCY A. BERRYHILL, Acting)
 17 Commissioner of Social Security,)
 18)
 Defendant.)
 19)

20
 21 The parties agree that Plaintiff is entitled to an award of attorney fees and expenses to be
 22 paid by the Defendant pursuant to the EAJA, 28 U.S.C. § 2412, subject to any offset as described
 23 in *Astrue v. Ratliff*, 130 S.Ct. 2521 (2010).

24 The parties agree that an award of attorney’s fees and expenses in the amount of \$5,000.00
 25 shall be awarded to Plaintiff. This amount represents compensation for all legal services rendered
 26 on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C.
 27 § 2412(d).
 28

1 If it is determined Plaintiff's EAJA fees are not subject to any offset allowed under the
2 Department of the Treasury's Offset Program, then the check for EAJA fees shall be made
3 payable to Robert C. Weems, based upon Plaintiff's assignment of these amounts to Plaintiff's
4 attorney.

5 Finally, the parties agree whether the check is made payable to Plaintiff, or to Robert C.
6 Weems, the check shall be mailed to Plaintiff's attorney at the following address: WEEMS LAW
7 OFFICES, 769 Center Blvd., PMB 38, Fairfax, CA 94930.

8 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA
9 attorney fees, and does not constitute an admission of liability on the part of Defendant under the
10 EAJA or otherwise. Payment of the agreed amount shall constitute a complete release from, and
11 bar to, any and all claims that Plaintiff and/or counsel, including counsel's firm, may have relating
12 to EAJA attorney fees in connection with this action.
13
14

15 Respectfully submitted,

16 Date: June 28, 2017

17 /s/Robert C. Weems
18 Robert C. Weems, CSBN 148156
19 Attorney at Law
20 Attorney for Plaintiff
21 By email authorization on June 28, 2017

22 Date: July 31, 2017

23 PHILLIP A. TALBERT
24 United States Attorney

25 By: /s/Geralyn Gulseth for Ben A. Porter
26 Ben A. Porter
27 Special Assistant United States Attorney
28 Attorneys for Defendant

ORDER

APPROVED AND SO ORDERED.

DATED: August 2, 2017


EDMUND F. BRENNAN
UNITED STATE MAGISTRATE JUDGE