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6	Attorney for Plaintiff		
7			
8	UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA		
0	EASTERN	DISTRIC	CT OF CALIFORNIA
9	SUSAN J. HEBERT,	)	Case No. 2:15-CV-2261-CMK
10		)	
	Plaintiff	)	STIPULATION AND ORDER
11		)	FOR AWARD OF ATTORNEY'S
12	V.	)	FEES UNDER THE EQUAL ACCESS TO
	CAROLYN W. COLVIN,	)	JUSTICE ACT (EAJA)
13	Acting Comm'r of Social Security,		
14	Freeing commit of Social Security,	)	
1 -	Defendant	ý	
15		)	
16		)	

IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel, subject to the approval of the Court, that Plaintiff shall be awarded attorney's fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. sec. 2412(d), in the amount of FOUR THOUSAND SIX HUNDRED AND FIFTY dollars (\$4,650.00). This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. sec. 2412(d).

After the Court issues an order for payment of 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. The government's ability to honor the assignment will depend on whether the fees and expenses are subject to an offset allowed under the United States Department of the Treasury's Offset Program pursuant to <u>Astrue v. Ratcliff</u>, 130 S.Ct. 2521 (2010). After the order of EAJA fees and expenses is entered, the government will determine if they are subject to an offset. If it is determined that Plaintiff's EAJA fees and expenses are not subject to an offset under <u>Astrue v.</u>

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Ratcliff, 130 S.Ct. 2521 (2010) and the Department of Treasury's Offset Program, then the check forEAJA fees and expenses shall be made payable to Jacqueline A. Forslund, based upon Plaintiff'sassignment of these amounts to Plaintiff's attorney. The parties agree that whether these checks aremade payable to Plaintiff or Jacqueline A. Forslund, such checks shall be mailed to Plaintiff'sattorney at the following address: Jacqueline A. Forslund, P.O. Box 4476, Sunriver, Oregon 97707.

This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees, and does not constitute an admission of liability on the part of Defendant under the EAJA or otherwise. 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 in connection with this action.

11		Respectfully submitted,	
12	Date: November 28, 2016	JACQUELINE A. FORSLUND	
13		Attorney at Law <u>/s/Jacqueline A. Forslund</u>	
14		JACQUELINE A. FORSLUND Attorney for Plaintiff	
15	Data: November 20, 2016	PHILIP A. TALBERT	
16	Date: November 29, 2016	United States Attorney	
17		DEBORAH STACHEL Regional Chief Counsel, Region IX	
18		Social Security Administration	
19		/s/Asim H. Modi	
20		ASIM H. MODI Special Assistant United States Attorney	
21		*By email authorization	
22		Attorney for Defendant	
23		ORDER	
24	APPROVED AND SO ORDE	RED	
25	Dated: November 30, 2016		
26		CRAIG M. KELLISON	
27		UNITED STATES MAGISTRATE JUDGE	
28			
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