

1 KELSEY MACKENZIE BROWN, CA #263109

2 Mackenzie Legal, PLLC

3 1003 Whitman Street

4 Tacoma, WA. 98406

5 Phone: (206) 300-9063

6 Email: kelsey@mackenzielegal.com

7 Attorney for Plaintiff

8 IN THE UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 DOUG WISE,

No. 2:15-CV-02465-DB

11 Plaintiff,

12 v.

13 NANCY BERRYHILL,
14 Acting Commissioner of Social Security,

15 Defendant.

16 STIPULATED MOTION AND ORDER FOR
17 ATTORNEYS FEES AND EXPENSES
18 PURSUANT TO 28 U.S.C. § 2412(d)

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

22 The parties agree that an award of attorney's fees in the amount of \$4,500, shall be
23 awarded to Plaintiff as a settlement amount.

24 If it is determined that Plaintiff's EAJA fees and expenses are not subject to any offset
allowed under the Department of the Treasury's Offset Program, then the check for EAJA fees
shall be made payable to **Kelsey Mackenzie Brown**, based upon Plaintiff's assignment of these
amounts to Plaintiff's attorney. The check for any costs should be made payable to **Mackenzie
Legal, PLLC**.

1 The parties agree that whether these checks are made payable to Plaintiff, or to Kelsey
2 Mackenzie Brown, they shall be mailed to Plaintiff's attorney at the following address:

3 **Mackenzie Legal, PLLC, c/o Kelsey M Brown, 1003 Whitman Street, Tacoma, WA 98406.**

4 Respectfully submitted,

5 Dated this 12th day of December 2017:

6 s/ KELSEY MACKENZIE BROWN
7 Kelsey Mackenzie Brown, CA #263109
8 1003 Whitman Street
9 Tacoma, WA 98406
10 Telephone: (206) 300-9063
11 Kelsey@mackenzielegal.com

12 Of Attorneys for Plaintiff

13 Dated this 12th day of December 2017:

14 s/ KELSEY MACKENZIE BROWN FOR
15 ASIM MODI
16 Via email authorization
17 Social Security Administration
18 Office of the General Counsel
19 160 Spear Street, Suite 800
20 San Francisco, CA 94105-1545
21 415-977-8942

22 Of Attorneys for Defendant

23 ORDER

24 Pursuant to the parties' stipulation, IT IS SO ORDERED.¹

Dated: January 10, 2018


DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

DLB:6
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¹ Plaintiff's November 21, 2017 motion for EAJA fees (ECF No. 28) is accordingly denied as having been rendered moot.