

1 JOHN V. JOHNSON
341 Flume Street, Suite C
2 Chico, California 95928
Telephone: (530) 893-0696
3 SBN 103137

4 Attorney for Plaintiff

5
6 UNITED STATES DISTRICT COURT
7 FOR THE EASTERN DISTRICT OF CALIFORNIA
8 SACRAMENTO DIVISION

9	BRENDA KAYE DEADWILEY,)	Civ. No. 2:16-CV-00007-KJN
)	
10	Plaintiff,)	STIPULATION FOR ATTORNEY'S FEES
)	UNDER THE EQUAL ACCESS TO
11	vs.)	JUSTICE ACT, AND ORDER THEREON
)	
12	CAROLYN W. COLVIN, Acting Commissioner)	
	of the Social Security Administration,)	
13)	
)	
14	Defendant.)	
)	
15	_____)	

16 STIPULATION

17 It is hereby stipulated by and between the parties through their undersigned counsel, subject to the approval
18 of the Court, that Brenda Kaye Deadwiley will be awarded attorney fees in the amount of SIX THOUSAND FIVE
19 HUNDRED and NO CENTS DOLLARS (\$6,500.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C.
20 section 2412(d). This amount represents compensation for all legal services rendered on behalf of Brenda Kaye
21 Deadwiley by counsel in connection with this civil action before the United States District Court for the Eastern
22 District of California in accordance with 28 U.S.C. section 2412(d).

23 After the Court issues an order for EAJA fees to Brenda Kaye Deadwiley, the Commissioner of the Social
24 Security Administration will consider any assignment of EAJA fees to John V. Johnson pursuant to Astrue v. Ratliff,
25 130 S. Ct. 2521, 2252-2253 (2010); the ability to honor any such assignment will depend on whether the fees are
26 subject to any offset allowed under the United States Department of Treasury's Offset Program. After the order for
27 EAJA fees is entered, the Commissioner of the Social Security Administration will determine whether they are
28 subject to any offset.

1 Fees and expenses shall be made payable to Brenda Kaye Deadwiley, but if the Department of the Treasury
2 determines that Brenda Kaye Deadwiley does not owe a federal debt, then the government shall cause the payment
3 of fees to be made directly to John V. Johnson, pursuant to any assignment executed by Brenda Kaye Deadwiley.
4 Any payment made shall be delivered to John V. Johnson.

5 This stipulation constitutes a compromise settlement of Brenda Kaye Deadwiley's request for EAJA
6 attorney fees, expenses and costs, and does not constitute an admission of liability on the part of the Commissioner
7 of the Social Security Administration under EAJA. Payment of the agreed amount shall constitute complete release
8 from, and bar to, any and all claims that Brenda Kaye Deadwiley and/or John V. Johnson may have relating to
9 EAJA attorney fees, expenses, and costs in connection with this action.

10 Respectfully Submitted,

11 DATED: October 12, 2017

12 / s / John V. Johnson
13 (As authorized
14 johnvjohanson@sbcglobal.net)
15 John V. Johnson
16 Attorney for Plaintiff

17 DATED: October 12, 2017


18 PHILLIP TALBERT
19 United States Attorney
20 DEBORAH L. STACHEL,
21 Acting Regional Chief
22 Chief Attorney, Region IX
23 Social Security Administration

24 By: /s/ Marcelo Illarmo
25 Special Assistant
26 U. S. Attorney
27 Attorney for Defendant
28 Marcelo.Illarmo@ssa.gov

ORDER

APPROVED AND SO ORDERED.

Dated: October 16, 2017


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE