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

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 14 LOURA MANN,
 15 Plaintiff,
 16 v.
 17 NANCY A. BERRYHILL,
 Acting Commissioner of Social Security,
 18 Defendant.

No. 2:16-cv-00421-AC

STIPULATION AND ~~PROPOSED~~ 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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 20 IT IS HEREBY STIPULATED by and between the parties through their undersigned
 21 counsel, subject to the approval of the Court, that Plaintiff shall be awarded attorney fees and
 22 expenses under the EAJA in the amount of THREE THOUSAND EIGHT HUNDRED dollars
 23 (\$3,800). This amount represents compensation for all legal services rendered on behalf of
 24 Plaintiff, to date, by counsel in connection with this civil action, in accordance with 28 U.S.C.
 25 § 2412.

26 After the Court issues an order for EAJA fees and expenses to Plaintiff, the government
 27 will consider the matter of Plaintiff's assignment of EAJA fees and expenses to Plaintiff's
 28 attorney. Pursuant to *Astrue v. Ratliff*, 560 U.S. 586 (2010), the ability to honor the assignment

1 will depend on whether the fees, expenses are subject to any offset allowed under the United
2 States Department of the Treasury's Offset Program. After the order for EAJA fees and expenses
3 is entered, the government will determine whether they are subject to any offset.

4 Fees and expenses shall be made payable to Plaintiff, but if the Department of the
5 Treasury determines that Plaintiff does not owe a federal debt, then the government shall cause
6 the payment of fees to be made directly to Robert C. Weems, pursuant to the assignment executed
7 by Plaintiff. Any payments made shall be delivered to Plaintiff's counsel.

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

13 This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security
14 Act attorney fees under 42 U.S.C. § 406, subject to the offset provisions of the EAJA.

15 Respectfully submitted December 8, 2017.

16
17 DATED: December 8, 2017

s/ Robert C. Weems
ROBERT C. WEEMS
(as authorized by email)

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19 Attorney for Plaintiff

20 PHILLIP A. TALBERT
21 United States Attorney

22 DATE: December 8, 2017

By *s/ Daniel P. Talbert*
DANIEL P. TALBERT
Special Assistant United States Attorney


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24 Attorneys for Defendant
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ORDER

Pursuant to stipulation, it is so ordered.

DATE: December 11, 2017



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE