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6 Attorney for Plaintiff

7 UNITED STATES DISTRICT COURT  
 8 EASTERN DISTRICT OF CALIFORNIA

9 TERRY SHARLENE JOSEPH-STEWART, )  
 )  
 10 Plaintiff )  
 )  
 11 v. )  
 )  
 12 NANCY A. BERRYHILL, )  
 13 Acting Commissioner of Social Security, )  
 )  
 14 Defendant )  
 )  
 15 )  
 \_\_\_\_\_ )

Case No. 2:16-CV-00975-CMK

**STIPULATION AND  
 ORDER FOR AWARD OF ATTORNEY'S  
 FEES UNDER THE EQUAL ACCESS TO  
 JUSTICE ACT (EAJA)**

16 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,  
 17 subject to the approval of the Court, that Plaintiff shall be awarded attorney's fees under the Equal  
 18 Access to Justice Act (EAJA), 28 U.S.C. sec. 2412(d), in the amount of SIX THOUSAND dollars  
 19 and ZERO cents (\$6,000.00). This amount represents compensation for all legal services rendered on  
 20 behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. sec.  
 21 2412(d).

22 After the Court issues an order for payment of EAJA fees and expenses to Plaintiff, the  
 23 government will consider the matter of Plaintiff's assignment of EAJA fees and expenses to  
 24 Plaintiff's attorney. The government's ability to honor the assignment will depend on whether the  
 25 fees and expenses are subject to an offset allowed under the United States Department of the  
 26 Treasury's Offset Program pursuant to Astrue v. Ratcliff, 130 S.Ct. 2521 (2010). After the order of  
 27 EAJA fees and expenses is entered, the government will determine if they are subject to an offset.  
 28 Fees shall be payable to Plaintiff, but if it is determined that Plaintiff's EAJA fees and expenses are  
 not subject to an offset under Astrue v. Ratcliff, 130 S.Ct. 2521 (2010) and the Department of

1 Treasury's Offset Program, then the check for EAJA fees and expenses shall be made payable to  
2 Jacqueline A. Forslund, based upon Plaintiff's assignment of these amounts to Plaintiff's attorney.  
3 The parties agree that whether these checks are made payable to Plaintiff or Jacqueline A. Forslund,  
4 such checks shall be mailed to Plaintiff's attorney at the following address: Jacqueline A. Forslund,  
5 Forslund Law LLC, P.O. Box 4476, Sunriver, Oregon 97707. This stipulation constitutes a  
6 compromise settlement of Plaintiff's request for EAJA attorney fees, and does not constitute an  
7 admission of liability on the part of Defendant under the EAJA or otherwise. Payment of the agreed  
8 amount shall constitute a complete release from, and bar to, any and all claims that Plaintiff and/or  
9 Plaintiff's Counsel may have relating to EAJA attorney fees in connection with this action.

10 Respectfully submitted,

11 Date: January 10, 2018

JACQUELINE A. FORSLUND  
Attorney at Law

13 /s/Jacqueline A. Forslund  
14 JACQUELINE A. FORSLUND  
15 Attorney for Plaintiff

16 Date: January 10, 2018

MCGREGOR W. SCOTT  
United States Attorney  
DEBORAH STACHEL  
Regional Chief Counsel, Region IX  
Social Security Administration

19 /s/Margaret Branick-Abilla  
20 MARGARET BRANICK-ABILLA  
21 Special Assistant United States Attorney  
22 \*By email authorization  
23 Attorney for Defendant

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ORDER

APPROVED AND SO ORDERED

Dated: January 23, 2018

  
CRAIG M. KELLISON  
UNITED STATES MAGISTRATE JUDGE