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5 Attorneys for Plaintiff
 Aaron P. Moore

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 7 **UNITED STATES DISTRICT COURT**
 8 **EASTERN DISTRICT OF CALIFORNIA**
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10 AARON P. MOORE,)	No. 2:16-cv-00986-DB
)	
11 Plaintiff,)	STIPULATION FOR THE AWARD
)	AND PAYMENT OF ATTORNEY
12 vs.)	FEES AND EXPENSES PURSUANT
)	TO THE EQUAL ACCESS TO
13 NANCY A. BERRYHILL, Acting)	JUSTICE ACT, 28 U.S.C. § 2412(d)
14 Commissioner of Social Security,)	AND COSTS PURSUANT TO 28
)	U.S.C. § 1920
15 Defendant.)	
)	

16
 17 TO THE HONORABLE DEBORAH BARNES, MAGISTRATE JUDGE
 18 OF THE DISTRICT COURT:

19 IT IS HEREBY STIPULATED by and between the parties through their
 20 undersigned counsel, subject to the approval of the Court, that Aaron P. Moore be
 21 awarded attorney fees and expenses in the amount of FOUR THOUSAND dollars
 22 (\$4,000.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d),
 23 and no costs under 28 U.S.C. § 1920. This amount represents compensation for all
 24 legal services rendered on behalf of Plaintiff by counsel in connection with this
 25 civil action, in accordance with 28 U.S.C. §§ 1920; 2412(d).
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1 After the Court issues an order for EAJA fees to Aaron P. Moore, the
2 government will consider the matter of Aaron P. Moore's assignment of EAJA fees
3 to Steven G. Rosales. The retainer agreement containing the assignment is
4 attached as exhibit 1. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2529 (2010),
5 the ability to honor the assignment will depend on whether the fees are subject to
6 any offset allowed under the United States Department of the Treasury's Offset
7 Program. After the order for EAJA fees is entered, the government will determine
8 whether they are subject to any offset.

9 Fees shall be made payable to Aaron P. Moore, but if the Department of the
10 Treasury determines that Aaron P. Moore does not owe a federal debt, then the
11 government shall cause the payment of fees, expenses and costs to be made
12 directly to Law Offices of Lawrence D. Rohlfig, pursuant to the assignment
13 executed by Aaron P. Moore.¹ Any payments made shall be delivered to Steven G.
14 Rosales.

15 This stipulation constitutes a compromise settlement of Aaron P. Moore's
16 request for EAJA attorney fees, and does not constitute an admission of liability on
17 the part of Defendant under the EAJA or otherwise. Payment of the agreed amount
18 shall constitute a complete release from, and bar to, any and all claims that Aaron
19 P. Moore and/or Steven G. Rosales including Law Offices of Lawrence D.
20 Rohlfig may have relating to EAJA attorney fees in connection with this action.

21 This award is without prejudice to the rights of Steven G. Rosales and/or the
22 Law Offices of Lawrence D. Rohlfig to seek Social Security Act attorney fees
23 under 42 U.S.C. § 406(b), subject to the savings clause provisions of the EAJA.

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25 ¹ The parties do not stipulate whether counsel for the plaintiff has a cognizable lien
26 under federal law against the recovery of EAJA fees that survives the Treasury
Offset Program.

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DATE: November 30, 2017 Respectfully submitted,
LAW OFFICES OF LAWRENCE D. ROHLFING

/s/ Steven G. Rosales
BY: _____
Steven G. Rosales
Attorney for plaintiff Aaron P. Moore

DATED: December 8, 2017 PHILLIP A. TALBERT
United States Attorney

/s/ Michael K. Marriott

MICHAEL K. MARRIOTT
Special Assistant United States Attorney
Attorneys for Defendant Nancy A. Berryhill,
Acting Commissioner of Social Security
(Per e-mail authorization)

ORDER

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

DATED: May 10, 2018 */s/ DEBORAH BARNES* _____
UNITED STATES MAGISTRATE JUDGE

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