

1 Young Cho
 Attorney at Law: 189870
 2 Law Offices of Lawrence D. Rohlring
 12631 East Imperial Highway, Suite C-115
 3 Santa Fe Springs, CA 90670
 Tel.: (562) 868-5886
 4 Fax: (562) 868-8868
 E-mail: rohlring.office@rohlringlaw.com

5 Attorneys for Plaintiff
 6 Jasmine Suzi Intharinh

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11 **UNITED STATES DISTRICT COURT**
 12 **EASTERN DISTRICT OF CALIFORNIA**

13 JASMINE SUZI INTHARINH, 14 15 Plaintiff, 16 vs. 17 NANCY A. BERRYHILL, Acting Commissioner of Social Security, 18 19 Defendant.) Case No.: 2:16-cv-01236-CMK)) STIPULATION AND ORDER FOR) THE AWARD AND PAYMENT OF) ATTORNEY FEES AND EXPENSES) PURSUANT TO THE EQUAL) ACCESS TO JUSTICE ACT, 28 U.S.C.) § 2412(d) AND COSTS PURSUANT) TO 28 U.S.C. § 1920)))
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 21 TO THE HONORABLE CRAIG M. KELLISON, MAGISTRATE JUDGE
 22 OF THE DISTRICT COURT:

23 IT IS HEREBY STIPULATED, by and between the parties through their
 24 undersigned counsel, subject to the approval of the Court, that Jasmine Suzi
 25 Intharinh be awarded attorney fees in the amount of three thousand dollars
 26 (\$3,000.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d).

1 This amount represents compensation for all legal services rendered on behalf of
2 Plaintiff by counsel in connection with this civil action, in accordance with 28
3 U.S.C. §§ 1920; 2412(d).

4 After the Court issues an order for EAJA fees to Jasmine Suzi Intharinh, the
5 government will consider the matter of Jasmine Suzi Intharinh's assignment of
6 EAJA fees to Young Cho. The retainer agreement containing the assignment is
7 attached as exhibit 1. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2529 (2010),
8 the ability to honor the assignment will depend on whether the fees are subject to
9 any offset allowed under the United States Department of the Treasury's Offset
10 Program. After the order for EAJA fees is entered, the government will determine
11 whether they are subject to any offset.

12 Fees shall be made payable to Jasmine Suzi Intharinh, but if the Department
13 of the Treasury determines that Jasmine Suzi Intharinh does not owe a federal debt,
14 then the government shall cause the payment of fees, expenses and costs to be
15 made directly to Law Offices of Lawrence D. Rohlfing, pursuant to the assignment
16 executed by Jasmine Suzi Intharinh.¹ Any payments made shall be delivered to
17 Young Cho.

18 This stipulation constitutes a compromise settlement of Jasmine Suzi
19 Intharinh's request for EAJA attorney fees, and does not constitute an admission of
20 liability on the part of Defendant under the EAJA or otherwise. Payment of the
21 agreed amount shall constitute a complete release from, and bar to, any and all
22 claims that Jasmine Suzi Intharinh and/or Young Cho including Law Offices of
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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.

1 Lawrence D. Rohlifing may have relating to EAJA attorney fees in connection with
2 this action.

3 This award is without prejudice to the rights of Young Cho and/or the Law
4 Offices of Lawrence D. Rohlifing to seek Social Security Act attorney fees under
5 42 U.S.C. § 406(b), subject to the savings clause provisions of the EAJA.

6 DATE: September 5, 2017 Respectfully submitted,

7 LAW OFFICES OF LAWRENCE D. ROHLFING

8 /s/ *Young Cho*

9 BY: _____

Young Cho
Attorney for plaintiff Jasmine Suzi Intharinh

10 DATE: September 5, 2017

11 PHILLIP A. TALBERT
Acting United States Attorney

12 /s/ *Michael K. Marriott**

13 _____
14 MICHAEL K. MARRIOTT
15 Special Assistant United States Attorney
16 Attorneys for Defendant NANCY A.
17 BERRYHILL, Acting Commissioner of Social
18 Security (*Per e-mail authorization by Jeffrey T.
19 Chen, Assistant Regional Counsel)

20 **ORDER**

21 Approved and so ordered:

22 Dated: September 11, 2017

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24 _____
25 CRAIG M. KELLISON
26 UNITED STATES MAGISTRATE JUDGE

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 12631 East Imperial Highway, Suite C-115, Santa Fe Springs, California 90670.

On this day of September 5, 2017, I served the foregoing document described as STIPULATION FOR THE AWARD AND PAYMENT OF ATTORNEY FEES AND EXPENSES PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT, 28 U.S.C. § 2412(d) AND COSTS PURSUANT TO 28 U.S.C. § 1920 on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:
Ms. Jasmine Suzi Intharinh
751 Mussel Shoals Ave
Shasta Lake, CA 96019

I caused such envelope with postage thereon fully prepaid to be placed in the United States mail at Santa Fe Springs, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

I declare that I am employed in the office of a member of this court at whose direction the service was made.

Young Cho _____

/s/ Young Cho _____

TYPE OR PRINT NAME

SIGNATURE