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4 Attorney for SHARON RYDER

5 UNITED STATE DISTRICT COURT
 6 EASTERN DISTRICT OF CALIFORNIA

7 SHARON RYDER,
 Plaintiff,

Case No.: **2:16-CV-01535-TLN-CMK**

8 vs.

STIPULATION AND ORDER FOR
 PAYMENT OF PLAINTIFF'S ATTORNEY
 FEES

9
 10 COMMISSIONER OF SOCIAL SECURITY,
 Defendant

11
 12 To the honorable CRAIG M. KELLISON, it is hereby stipulated by and between the
 13 parties through their undersigned counsel, subject to the approval of the Court, that SHARON
 14 RYDER be awarded attorney fees and expenses in the amount of \$7258.00 under the Equal
 15 Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). This amount represents compensation for
 16 all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in
 accordance with 28 U.S.C. §§ 1920; 2412(d).

17 After the Court issues an order for EAJA fees to SHARON RYDER, the government
 18 will consider the matter of assignment of EAJA fees to PETER BRIXIE. The retainer agreement
 19 containing the assignment is attached as exhibit 1. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521,
 20 2529 (2010), the ability to honor the assignment will depend on whether the fees are subject to
 21 any offset allowed under the United States Department of the Treasury's Offset Program. After
 the order for EAJA fees is entered, the government will determine whether they are subject to
 any offset.

22 Fees shall be made payable to SHARON RYDER, but if the Department of the Treasury
 23 determines that SHARON RYDER does not owe a federal debt, then the government shall cause
 24 the payment of fees, expenses and costs to be made directly to PETER BRIXIE pursuant to the
 25 assignment executed by SHARON RYDER Any payments made shall be delivered to PETER
 BRIXIE

1 This stipulation constitutes a compromise settlement of SHARON RYDER vs.
2 COMMISSIONER OF SOCIAL SECURITY request for EAJA attorney fees, and does not
3 constitute an admission of liability on the part of Defendant under the EAJA or
4 otherwise. Payment of the agreed amount shall constitute a complete release from, and bar to,
5 any and all claims that SHARON RYDER may have relating to EAJA attorney fees in
6 connection with this action. This award is without prejudice to the rights of PETER BRIXIE to
7 seek Social Security Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause
8 provisions of the EAJA.

8 Respectfully submitted,

9 Dated: March 8, 2018

By: /s/ Peter Brixie
PETER E. BRIXIE
Attorney at Law
Attorney for Plaintiff

11 Dated: March 8, 2018

/s/Marcelo N. Illarmo
MARCELO N. ILLARMO
Special Assistant United States Attorney
Attorneys for Defendant

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15 APPROVED AND SO ORDERED

16
17 Dated: March 8, 2018


CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE