

1 Robert C Weems (CA SBN 148156)
WEEMS LAW OFFICES
2 769 Center Blvd., PMB 38
Fairfax, CA 94930
3 Ph: 415.881.7653
4 Fx: 866.610.1430
rcweems@weemslawoffices.com

5 Attorneys for Plaintiff,
NATASHIA THOMAS

6 MCGREGOR W. SCOTT
7 United States Attorney
DEBORAH LEE STACHEL, CSBN 230138
8 Regional Chief Counsel, Region IX
Social Security Administration
9 ARMAND ROTH, CSBN 214624
Special Assistant United States Attorney
10 160 Spear Street, Suite 800
San Francisco, CA 94105
11 Telephone: (415) 977-8924
Facsimile: (415) 744-0134
12 Email: armand.roth@ssa.gov

13 Attorneys for Defendant,
NANCY A. BERRYHILL,
14 Acting Commissioner of Social Security,

15 UNITED STATES DISTRICT COURT
16 EASTERN DISTRICT OF CALIFORNIA
17

19 NATASHIA THOMAS,

20 Plaintiff,

21 v.

22 NANCY A. BERRYHILL, Acting
23 Commissioner of Social Security,

24 Defendant.

No. 2:16-cv-2060 DB

STIPULATION AND ORDER RE:
ATTORNEYS FEES

25 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,
26 subject to the approval of the Court, that Plaintiff, NATASHIA THOMAS, be awarded attorney fees
27 in the amount of Five Thousand Dollars and no cents (\$5,000.00) under the Equal Access to Justice
28 Act (“EAJA”), 28 U.S.C. § 2412(d). This amount represents compensation for all legal services

1 rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28
2 U.S.C. §§ 1920; 2412(d).

3 After the Court issues an order for EAJA fees to Plaintiff, the government will consider (i)
4 Plaintiff's assignment to counsel, Robert C. Weems. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521,
5 2529 (2010), the ability to honor the assignment will depend on whether the fees are subject to any
6 offset allowed under the United States Department of the Treasury's Offset Program. After the order
7 for EAJA fees is entered, the government will determine whether they are subject to any offset.

8 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines that
9 Plaintiff does not owe a federal debt, then the government shall cause the payment of fees to be
10 made directly to Robert Weems, pursuant to the assignment executed by Plaintiff. Any payments
11 made shall be delivered to counsel, Robert Weems.

12 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees
13 and does not constitute an admission of liability on the part of Defendant under the EAJA or
14 otherwise. Payment of the agreed amount shall constitute a complete release from, and bar to, any
15 and all claims that Plaintiff and/or Robert Weems including Weems Law Offices may have relating
16 to EAJA attorney fees in connection with this action.

17 This award is without prejudice to the rights of Robert Weems and/or Weems Law Offices to
18 seek Social Security Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause
19 provisions of the EAJA.

20
21 SO STIPULATED AND AGREED:

22
23 Dated: June 28, 2018

MCGREGOR W. SCOTT
United States Attorney
DEBORAH LEE STACHEL, CSBN 230138
Regional Chief Counsel, Region IX
Social Security Administration
ARMAND RÓTH, CSBN 214624
Special Assistant United States Attorney

24
25
26
27 /s/Armand Roth
28 ARMAND ROTH, Attorneys for Defendant

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: June 28, 2018

WEEMS LAW OFFICES

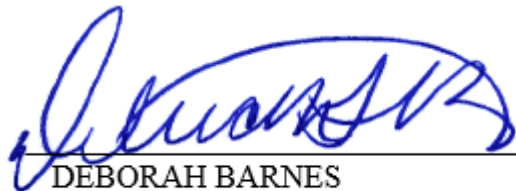
/s/Robert C. Weems

Robert C. Weems, Attorney for Plaintiff

ORDER

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

Dated: June 28, 2018



DEBORAH BARNES

UNITED STATES MAGISTRATE JUDGE

DLB:6
DB\orders\orders.soc sec\thomas2060.stip.eaja.ord