

1 FORSLUND LAW, LLC  
 Jacqueline A. Forslund # 154575  
 2 P.O. Box 4476  
 Sunriver, OR 97707  
 Telephone: 541-419-0074  
 3 Fax: 541-593-4452  
 4 Email: [jaf@forslundlaw.com](mailto:jaf@forslundlaw.com)  
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6 Attorney for Plaintiff

7 UNITED STATES DISTRICT COURT  
 8 EASTERN DISTRICT OF CALIFORNIA

9 LATISHA SHAMOND DAVENPORT, )

Case No. 2:16-CV-02729-CMK

10 Plaintiff )

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

11 v. )

12 NANCY A. BERRYHILL, )  
 13 Acting Commissioner of Social Security, )

14 Defendant )

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

After the Court issues an order for payment of EAJA fees and expenses to Plaintiff, the government will consider the matter of Plaintiff’s assignment of EAJA fees and expenses to Plaintiff’s attorney. The government’s ability to honor the assignment will depend on whether the fees and expenses are subject to an offset allowed under the United States Department of the Treasury’s Offset Program pursuant to Astrue v. Ratcliff, 130 S.Ct. 2521 (2010). After the order of EAJA fees and expenses is entered, the government will determine if they are subject to an offset. 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 Treasury’s Offset Program, then the check for

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

10 Respectfully submitted,

11 Date: June 22, 2018

JACQUELINE A. FORSLUND  
Attorney at Law

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

15  
16 Date: June 22, 2018

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

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19 /s/Chantal R. Jenkins  
CHANTAL R. JENKINS  
Special Assistant United States Attorney  
\*By email authorization  
Attorney for Defendant

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23 ORDER

24 APPROVED AND SO ORDERED

25 Dated: July 11, 2018

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CRAIG M. KELLISON  
UNITED STATES MAGISTRATE JUDGE