

1 HADLEY & FRAULOB  
 2 A Professional Law Corporation  
 3 230 Fifth Street  
 4 Marysville, CA 95901  
 (916) 743-4458  
 FAX (530) 743-5008

5 JOSEPH C. FRAULOB – CA State Bar #194355  
 6 Attorney For Plaintiff

7 UNITED STATES DISTRICT COURT  
 8 EASTERN DISTRICT OF CALIFORNIA

9 BRADLEY SCOTT BRYAN,

10 Plaintiff,

11 vs.

12 COMMISSIONER OF SOCIAL SECURITY,  
 13 Defendant

CIV. NO. 2:16-CV-02987-AC

**STIPULATION FOR AWARD OF EAJA  
 FEES**

14  
 15 IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and  
 16 with the approval of the Court as provided below, that Plaintiff be awarded attorney fees under  
 17 the Equal Access To Justice Act (EAJA) 28 U.S.C. 2412(d), in the amount of three thousand,  
 18 eight hundred, thirty-nine dollars and eighty-three cents (\$3839.83). This amount represents  
 19 compensation for all legal services rendered on behalf of Plaintiff by his counsel in connection  
 20 with this civil action, in accordance with 28 U.S.C. 2412(d).

21 After the Court issues an order for EAJA fees to Plaintiff, the government will consider  
 22 the matter of Plaintiff’s assignment of EAJA fees to Plaintiff’s attorney. Pursuant to Astrue v.  
 23 Ratliff, 130 S.Ct. 2521 (U.S. June 14, 2010), the ability to honor the assignment will depend on  
 24 whether the fees are subject to any offset allowed under the United States Department of the  
 25 Treasury’s Offset Program. After the order to EAJA fees is entered, the government will  
 26 determine if it is subject to any offset.

27 Fees and costs shall be made payable to Plaintiff, but if the Department of the Treasury  
 28 determines that Plaintiff does not owe a federal debt, then the government shall cause the

1 payment of fees and costs to be made directly to Plaintiff's counsel Joseph C. Fraulob, pursuant  
2 to the written assignment executed by Plaintiff. Any payments shall be delivered to Plaintiff's  
3 counsel Joseph C. Fraulob.

4 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA  
5 attorney fees and does not constitute an admission of liability on the part of Defendant under the  
6 EAJA. Payment of the agreed amount shall constitute a complete release from, and bar to, any  
7 and all claims that Plaintiff and/or Plaintiff's counsel may have relating to EAJA attorney fees in  
8 connection with this action.

9  
10 DATE: May 31, 2018

11 By /s/ Joseph C. Fraulob  
12 JOSEPH C. FRAULOB  
13 Attorney for plaintiff

14 DATE: May 31, 2018

15 PHILLIP A. TALBERT  
16 United States Attorney

17 By /s/ Gina Tomaselli  
18 (As authorized via email)  
19 GINA TOMASELLI  
20 Assistant Regional Counsel  
21 Attorneys for Defendant

22 ORDER

23 APPROVED AND SO ORDERED

24 DATED: June 5, 2018

25 Allison Claire  
26 ALLISON CLAIRE  
27 UNITED STATES MAGISTRATE JUDGE  
28