

1 JOHN V. JOHNSON  
Attorney for Plaintiff  
2 McGregor W. Scott  
United States Attorney  
3 DEBORAH LEE STACHEL, Bar No. 230138  
Regional Chief Counsel, Region IX  
4 ASIM MODI NYSBN 4692018  
Special Assistant United States Attorney

5 Social Security Administration  
6 160 Spear Street, Suite 800  
San Francisco, California 94105  
7 Telephone: (415) 977-8952  
8 Facsimile: (415) 744-0134  
E-Mail: asim.modi@ssa.gov

9 Attorney for Defendant

10 UNITED STATES DISTRICT COURT  
11 FOR THE EASTERN DISTRICT OF CALIFORNIA  
12 SACRAMENTO DIVISION  
13  
14

15 Kristy Lynn Pryor, ) CASE. No.: 2:16-CV-03018 KJN  
16 Plaintiff, )  
17 vs. ) STIPULATION AND PROPOSED ORDER  
FOR ATTORNEY'S FEES PURSUANT  
18 ANDREW SAUL, commissioner ) TO 28 U.S.C. SECTION 2412(d)  
of the Social Security Administration, )  
19 )  
20 Defendant. )  
21 )

22 It is hereby stipulated by and between the parties through their undersigned counsel, subject to the approval  
23 of the Court, that Kristy Lynn Pryor, will be awarded attorney fees in the amount of TWELVE THOUSAND FIVE  
24 HUNDRED and NO CENTS DOLLARS (\$12,500.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C.  
25 section 2412(d). This amount represents compensation for all legal services rendered on behalf of Plaintiff by  
26 counsel in connection with this civil action, in accordance with 28 U.S.C. section 2412(d).

27 After the Court issues an order for EAJA fees to Kristy Lynn Pryor, the Defendant will consider any  
28 assignment of EAJA fees to John V. Johnson pursuant to Astrue v. Ratliff, 130 S. Ct. 2521, 2252-2253 (2010), the

1 ability to honor any such assignment will depend on whether the fees are subject to any offset allowed under the  
2 United States Department of Treasury's Offset Program. After the order for EAJA fees is entered, the Defendant  
3 will determine whether they are subject to any offset.

4 Fees shall be made payable to Kristy Lynn Pryor, but if the Department of the Treasury determines that  
5 Kristy Lynn Pryor does not owe a federal debt, then the government shall cause the payment of fees to be made  
6 directly to John V. Johnson, pursuant to any assignment executed by Plaintiff. Any payment made shall be delivered  
7 directly to John V. Johnson.

8 This stipulation constitutes a compromise settlement of Kristy Lynn Pryor's request for EAJA attorney fees  
9 and does not constitute an admission of liability on the part of the Defendant under EAJA. Payment of the agreed  
10 amount shall constitute complete release from, and bar to, any and all claims that Kristy Lynn Pryor, and/or John V.  
11 Johnson may have relating to EAJA attorney fees in connection with this action. This award is without prejudice to  
12 the rights of John V. Johnson to seek Social Security Act attorney fees under 42 U.S.C. Section 406(b) subject to  
13 the savings clause provisions of EAJA.

14 Respectfully Submitted,

15 DATED: November 26, 2019

/ s / John V. Johnson  
(As authorized  
[johnvjohanson@sbcglobal.net](mailto:johnvjohanson@sbcglobal.net))  
John V. Johnson  
Attorney for Plaintiff

18 DATED: November 26, 2019

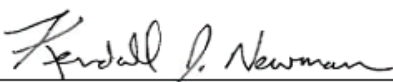
McGREGOR W. SCOTT  
United States Attorney  
DEBORAH L. STACHEL  
Regional Chief Attorney, Region IX  
Social Security Administration

By: /s / Asim Modi  
ASIM MODI  
Special Assistant U.S. Attorney  
Attorney for Defendant

24 **ORDER**

25 APPROVED AND SO ORDERED.

26 Dated: December 5, 2019

27   
28 KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE