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

7 UNITED STATES DISTRICT COURT  
 8 EASTERN DISTRICT OF CALIFORNIA

9 LORI DIANE BLANK,  
 10 Plaintiff,

11 vs.

13 NANCY A. BERRYHILL, ACTING  
 14 COMMISSIONER OF SOCIAL SECURITY,  
 Defendant

CIV. NO. 2:17-CV-00034-EFB

**STIPULATION FOR AWARD OF EAJA  
 FEES**

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 four thousand  
 18 dollars (\$4000.00). This amount represents compensation for all legal services rendered on  
 19 behalf of Plaintiff by his counsel in connection with this civil action, in accordance with 28  
 20 U.S.C. 2412(d). The parties additionally stipulate that Plaintiff shall be awarded costs under 28  
 21 U.S.C. 1920 in the amount of four hundred dollars (\$400.00).

22 After the Court issues an order for EAJA fees to Plaintiff, the government will consider  
 23 the matter of Plaintiff’s assignment of EAJA fees to Plaintiff’s attorney. Pursuant to Astrue v.  
 24 Ratliff, 130 S.Ct. 2521 (U.S. June 14, 2010), the ability to honor the assignment will depend on  
 25 whether the fees are subject to any offset allowed under the United States Department of the  
 26 Treasury’s Offset Program. After the order to EAJA fees is entered, the government will  
 27 determine if it is subject to any offset.  
 28

1 Fees and costs shall be made payable to Plaintiff, but if the Department of the Treasury  
2 determines that Plaintiff does not owe a federal debt, then the government shall cause the  
3 payment of fees and costs to be made directly to Plaintiff's counsel Joseph C. Fraulob, pursuant  
4 to the written assignment executed by Plaintiff. Any payments shall be delivered to Plaintiff's  
5 counsel Joseph C. Fraulob.

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

11  
12  
13 DATE: October 12, 2017 By /s/ Joseph Clayton Fraulob  
14 JOSEPH CLAYTON FRAULOB  
Attorney for plaintiff

15  
16 DATE: October 12, 2017 PHILLIP A. TALBERT  
United States Attorney  
17  
18 By /s/ Marcelo Illarmo  
(As authorized via email on October 12, 2017)  
19 MARCELO ILLARMO  
Assistant Regional Counsel  
20 Attorneys for Defendant

21  
22 ORDER

23 APPROVED AND SO ORDERED.

24 DATED: October 16, 2017.

25   
EDMUND F. BRENNAN  
26 UNITED STATES MAGISTRATE JUDGE  
27  
28