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IN THE UNITED STATES DISTRICT COURT
 FOR THE EASTERN DISTRICT OF CALIFORNIA

<p>11 TERESA JOHN,</p> <p>12 Plaintiff,</p> <p>13 VS.</p> <p>14 NANCY A. BERRYHILL,</p> <p>15 Acting Commissioner of Social Security,</p> <p>16 Defendant.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Case No.: 2:17-cv-00867-EFB</p> <p>STIPULATION AND PROPOSED</p> <p>ORDER FOR THE AWARD AND</p> <p>PAYMENT OF ATTORNEY FEES</p> <p>AND EXPENSES PURSUANT TO THE</p> <p>EQUAL ACCESS TO JUSTICE ACT,</p> <p>28 U.S.C. § 2412(d)</p>
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20 IT IS HEREBY STIPULATED by and between the parties through their

21 undersigned counsel, subject to the approval of the Court, that Plaintiff be awarded

22 attorney fees and expenses in the amount of SIX THOUSAND FIVE HUNDRED

23 dollars (\$6,500.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d).

24 This amount represents compensation for all legal services rendered on behalf of

25 Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C.

26 § 2412(d).

27 After the Court issues an order for EAJA fees to Plaintiff, the government will

28 consider the matter of Plaintiff's assignment of EAJA fees to counsel, if any. Pursuant

1 to *Astrue v. Ratliff*, 560 U.S. 586, 598, 130 S.Ct. 2521, 177 L.Ed.2d 91 (2010), the
2 ability to honor the assignment will depend on whether the fees are subject to any offset
3 allowed under the United States Department of the Treasury's Offset Program. After
4 the order for EAJA fees is entered, the government will determine whether they are
5 subject to any offset.

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

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

16 Respectfully submitted,

17 DATED: December 7, 2018

LEGAL SERVICES OF NORTHERN CALIFORNIA

18 /s/ Antonio Valdez

19 By: ANTONIO VALDEZ

Attorney for Plaintiff

20 DATED: December 7, 2018

/s/ Ben A. Porter

21 By: BEN A. PORTER

22 Special Assistant United States Attorney

Attorneys for Defendant

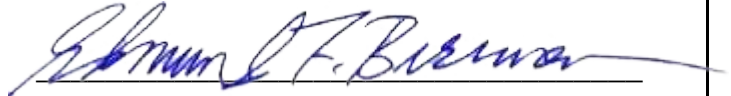
23 (*As Authorized By E-Mail on December 7, 2018)

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ORDER

Pursuant to the stipulation, it is so ordered.

DATED: January 7, 2019.



HON. EDMUND F. BRENNAN
United States Magistrate Judge