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13 UNITED STATES DISTRICT COURT
 14 EASTERN DISTRICT OF CALIFORNIA
 15 SACRAMENTO DIVISION
 16

18	RODNEY KEITH FRIZZELL,)	Civil No. 2:17-cv-01472-AC
19)	
20	Plaintiff,)	STIPULATION FOR THE AWARD AND
21)	PAYMENT OF ATTORNEY FEES
22	v.)	PURSUANT TO THE EQUAL ACCESS
23	NANCY A. BERRYHILL, Acting)	TO JUSTICE ACT, 28 U.S.C. § 2412(d),
24	Commissioner of Social Security,)	AND COSTS PURSUANT TO 28 U.S.C. §
)	1920
	Defendant.)	
)	

1 IT IS HEREBY STIPULATED by and between the parties through their undersigned
2 counsel, subject to the approval of the Court, that Rodney Keith Frizzell be awarded attorney
3 fees in the amount of Eight Thousand, Seven Hundred Dollars (\$8,700) under the Equal
4 Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). This amount represents compensation for
5 all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action,
6 in accordance with 28 U.S.C. §§ 1920; 2412(d).

7 After the Court issues an order for EAJA fees to Rodney Keith Frizzell, the government
8 will consider the matter of Rodney Keith Frizzell's assignment of EAJA fees to Robert
9 Weems. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2529 (2010), the ability to honor the
10 assignment will depend on whether the fees are subject to any offset allowed under the United
11 States Department of the Treasury's Offset Program. After the order for EAJA fees is entered,
12 the government will determine whether they are subject to any offset.

13 Fees shall be made payable to Rodney Keith Frizzell, but if the Department of the
14 Treasury determines that Rodney Keith Frizzell does not owe a federal debt, then the
15 government shall cause the payment of fees, expenses and costs to be made directly to Robert
16 Weems, pursuant to the assignment executed by Rodney Keith Frizzell. Any payments made
17 shall be delivered to Robert Weems.

18 This stipulation constitutes a compromise settlement of Rodney Keith Frizzell's request
19 for EAJA attorney fees, and does not constitute an admission of liability on the part of
20 Defendant under the EAJA or otherwise. Payment of the agreed amount shall constitute a
21 complete release from, and bar to, any and all claims that Rodney Keith Frizzell and/or Robert
22 Weems including Weems Law Offices may have relating to EAJA attorney fees in connection
23 with this action.

1 This award is without prejudice to the rights of Robert Weems and/or Weems Law
2 Offices to seek Social Security Act attorney fees under 42 U.S.C. § 406(b), subject to the
3 savings clause provisions of the EAJA.
4

5 Respectfully submitted,

6 Dated: April 19, 2019

WEEMS LAW OFFICES

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8 By: /s/ Robert Weems*
ROBERT WEEMS
9 * By email authorization on April 19, 2019
10 Attorney for Plaintiff.

11 Dated: April 19, 2019

MCGREGOR W. SCOTT
United States Attorney

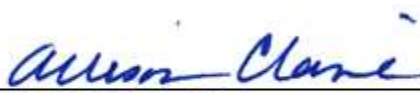
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13 By: /s/ Michael K. Marriott
14 MICHAEL K. MARRIOTT
15 Special Assistant United States Attorney
Attorneys for Defendant

16
17 Of Counsel
Jeffrey Chen
18 Assistant Regional Counsel
19 Social Security Administration

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21
22
23 ORDER

24
25 APPROVED AND SO ORDERED:

26 DATED: April 24, 2019


27 ALLISON CLAIRE
28 UNITED STATES MAGISTRATE JUDGE