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10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA
12 SACRAMENTO DIVISION

13 CHRISTOPHER MICHAEL DUNN,) No. 2:17-cv-01791 DB
14 Plaintiff,) STIPULATION AND ORDER
15 vs.)
16 NANCY A. BERRYHILL,)
Acting Commissioner of Social Security,)
17 Defendant.)
18)
19)

20 It is hereby stipulated by and between the parties through their undersigned counsel, subject to the approval
21 of the Court, that Christopher Michael Dunn, will be awarded attorney fees in the amount of SIX THOUSAND
22 FIVE HUNDRED and NO CENTS DOLLARS (\$6,500.00) under the Equal Access to Justice Act (EAJA), 28
23 U.S.C. section 2412(d). This amount represents compensation for all legal services rendered on behalf of Plaintiff by
24 counsel in connection with this civil action, in accordance with 28 U.S.C. section 2412(d).

25 After the Court issues an order for EAJA fees to Christopher Michael Dunn, the Defendant will consider
26 any assignment of EAJA fees to John V. Johnson pursuant to Astrue v. Ratliff, 130 S.Ct. 2521, 2252-2253 (2010),
27 the ability to honor any such assignment will depend on whether the fees are subject to any offset allowed under the

1 United States Department of Treasury's Offset Program. After the order for EAJA fees is entered, the Defendant
2 will determine whether they are subject to any offset.

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

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

13 Respectfully Submitted,

14
15 DATED: November 30, 2018

/ s / John V. Johnson
(As authorized
johnvjohnson@sbcglobal.net)
John V. Johnson
Attorney for Plaintiff

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18 DATED: November 30, 2018

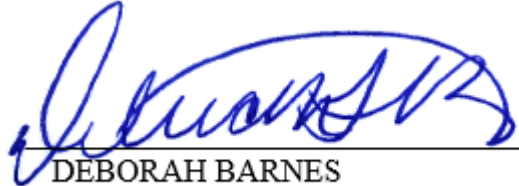
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21 By: /s / Karen S. Clark
KAREN S. CLARK
Special Assistant U.S. Attorney
Attorney for Defendant
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ORDER

Pursuant to the parties' stipulation, IT IS SO ORDERED.

Dated: December 7, 2018



DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

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