

1 Young Cho
 Attorney at Law: 189870
 2 Law Offices of Lawrence D. Rohlfing
 12631 East Imperial Highway, Suite C-115
 3 Santa Fe Springs, CA 90670
 Tel.: (562) 868-5886
 4 Fax: (562) 868-8868
 E-mail: rohlfig.office@rohlfiglaw.com

5
 6 Attorneys for Plaintiff
 Carol A. Ray

7
 8
 9

10 **UNITED STATES DISTRICT COURT**
 11 **EASTERN DISTRICT OF CALIFORNIA**

13 CAROL A. RAY, 14 Plaintiff, 15 vs. 16 ANDREW SAUL, 17 Commissioner of Social Security, 18 Defendant.) No. 2:18-cv-00561-DB)) STIPULATION AND ORDER FOR) THE AWARD AND PAYMENT OF) ATTORNEY FEES AND EXPENSES) PURSUANT TO THE EQUAL) ACCESS TO JUSTICE ACT, 28 U.S.C.) § 2412(d) AND COSTS PURSUANT) TO 28 U.S.C. § 1920)))
--	---

19
 20 TO THE HONORABLE DEBORAH BARNES, MAGISTRATE JUDGE
 21 OF THE DISTRICT COURT:

22 IT IS HEREBY STIPULATED, by and between the parties through their
 23 undersigned counsel, subject to the approval of the Court, that Carol A Ray be
 24 awarded attorney fees in the amount of four thousand three hundred dollars
 25 (\$4,300.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d),
 26 and costs in the amount of four hundred dollars (\$400.00) under 28 U.S.C. § 1920.

1 This amount represents compensation for all legal services rendered on behalf of
2 Plaintiff by counsel in connection with this civil action, in accordance with 28
3 U.S.C. §§ 1920; 2412(d).

4 After the Court issues an order for EAJA fees to Carol A Ray, the
5 government will consider the matter of Carol A Ray's assignment of EAJA fees to
6 Young Cho. The retainer agreement containing the assignment is attached as
7 exhibit 1. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2529 (2010), the ability to
8 honor the assignment will depend on whether the fees are subject to any offset
9 allowed under the United States Department of the Treasury's Offset Program.
10 After the order for EAJA fees is entered, the government will determine whether
11 they are subject to any offset.

12 Fees shall be made payable to Carol A Ray, but if the Department of the
13 Treasury determines that Carol A Ray does not owe a federal debt, then the
14 government shall cause the payment of fees, expenses and costs to be made
15 directly to Law Offices of Lawrence D. Rohlring, pursuant to the assignment
16 executed by Carol A Ray.¹ Any payments made shall be delivered to Young Cho.

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

23
24
25 ¹ The parties do not stipulate whether counsel for the plaintiff has a cognizable lien
26 under federal law against the recovery of EAJA fees that survives the Treasury
Offset Program.

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

4 DATE: September 25, 2019 Respectfully submitted,

5 LAW OFFICES OF LAWRENCE D. ROHLFING

6 */s/ Young Cho*

7 BY: _____
8 Young Cho
Attorney for plaintiff Carol A Ray

9 DATE: September 25, 2019 MCGREGOR W. SCOTT
10 United States Attorney

11 */s/ Ben A. Porter*

12 _____
13 BEN A. PORTER
14 Special Assistant United States Attorney
15 Attorneys for Defendant
ANDREW M. SAUL, Commissioner of Social
16 Security (Per e-mail authorization)

17
18 **ORDER**

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

20 DATED: September 26, 2019

/s/ DEBORAH BARNES
21 _____
22 UNITED STATES MAGISTRATE JUDGE
23
24
25
26