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9 Attorney for Defendant

10 UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF CALIFORNIA
12 SACRAMENTO DIVISION
13

14 CHOR LOR,)	CASE. No.: 2:18-CV-01046-KJN
)	
15 Plaintiff,)	STIPULATION AND ORDER
)	FOR ATTORNEY'S FEES PURSUANT
16 vs.)	TO 28 U.S.C. SECTION 2412(d)
)	
17 ANDREW W. SAUL, commissioner)	
of the Social Security Administration,)	
)	
18)	
)	
19 Defendant.)	
)	
20 _____)	

21 It is hereby stipulated by and between the parties through their undersigned counsel, subject to the approval
22 of the Court, that Chor Lor, will be awarded attorney fees in the amount of EIGHT THOUSAND SIX HUNDRED
23 TWENTY FOUR and NO CENTS DOLLARS (\$8,624.00) under the Equal Access to Justice Act (EAJA), 28
24 U.S.C. section 2412(d). This amount represents compensation for all legal services rendered on behalf of Plaintiff by
25 counsel in connection with this civil action, in accordance with 28 U.S.C. section 2412(d).

26 After the Court issues an order for EAJA fees to Chor Lor, the Defendant will consider any assignment of
27 EAJA fees to John V. Johnson pursuant to Astrue v. Ratliff, 130 S.Ct. 2521, 2252-2253 (2010), the ability to honor
28

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

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

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

14 Respectfully Submitted,

15 DATED: April 7, 2020

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

18 DATED: April 7, 2020

McGREGOR W. SCOTT
United States Attorney
DEBORAH L. STACHEL
Regional Chief Attorney, Region IX
Social Security Administration

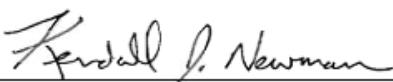
21 By: /s/ Gina Tomaselli
GINA TOMASELLI
Special Assistant U.S. Attorney
Attorney for Defendant

24 **ORDER**

25 APPROVED AND SO ORDERED.

26 Dated: April 9, 2020

27 lor.1046

28 
KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE