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7 JOSEPH C. FRAULOB – CA State Bar #194355
 8 Attorney For Plaintiff

9 UNITED STATES DISTRICT COURT
 10 EASTERN DISTRICT OF CALIFORNIA

11 RETH DIM,
 12 Plaintiff,
 13 vs.

CIV. NO. 2:19-CV-02570-AC

**STIPULATION FOR AWARD OF EAJA
 FEES**

14 COMMISSIONER OF SOCIAL SECURITY,
 15 Defendant.

16 IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and
 17 with the approval of the Court as provided below, that Plaintiff be awarded attorney fees under
 18 the Equal Access To Justice Act (EAJA) 28 U.S.C. 2412(d), in the amount of four thousand, six
 19 hundred and eighty-eight dollars and sixty-seven cents (\$4688.67). This amount represents
 20 compensation for all legal services rendered on behalf of Plaintiff by his counsel in connection
 21 with this civil action, in accordance with 28 U.S.C. 2412(d).

22 After the Court issues an order for EAJA fees to Plaintiff, the government will consider
 23 the matter of Plaintiff’s assignment of EAJA fees to Plaintiff’s attorney. Pursuant to Astrue v.
 24 Ratliff, 130 S.Ct. 2521 (U.S. June 14, 2010), the ability to honor the assignment will depend on
 25 whether the fees are subject to any offset allowed under the United States Department of the
 26 Treasury’s Offset Program. After the order to EAJA fees is entered, the government will
 27 determine if it is subject to any offset.

28 Fees and costs shall be made payable to Plaintiff, but if the Department of the Treasury
 determines that Plaintiff does not owe a federal debt, then the government shall cause the

1 payment of fees and costs to be made directly to Plaintiff's counsel Joseph C. Fraulob, pursuant
2 to the written assignment executed by Plaintiff. Any payments shall be delivered to Plaintiff's
3 counsel Joseph C. Fraulob.

4 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA
5 attorney fees and does not constitute an admission of liability on the part of Defendant under the
6 EAJA. Payment of the agreed amount shall constitute a complete release from, and bar to, any
7 and all claims that Plaintiff and/or Plaintiff's counsel may have relating to EAJA attorney fees
8 and/or costs in connection with this action.

9
10 DATE: September 3, 2020 *By /s/ Joseph C. Fraulob*
11 JOSEPH C. FRAULOB
12 Attorney for plaintiff

13 DATE: September 3, 2020 MCGREGOR W. SCOTT
14 United States Attorney

15 DEBORAH LEE STACHEL
16 Regional Chief Counsel, Region IX
17 Social Security Administration

18 *By /s/ Ellinor R. Coder*
19 (*authorized via e-mail on September 3, 2020)
20 ELLINOR R. CODER
21 Special Assistant U.S. Attorney

22 Attorneys for Defendant

23 ORDER

24 APPROVED AND SO ORDERED

25
26 DATED: September 8, 2020

27 
28 ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE