

counsel in connection with this civil action, in accordance with 28 U.S.C. §§ 1920; 2412(d).

After the Court issues an order for EAJA fees to Sandoval, the government will consider the matter of Sandoval's assignment of EAJA fees to Brian C. Shapiro. The retainer agreement containing the assignment is attached as exhibit 1. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2529 (2010), the ability to honor the assignment will depend on whether the fees are subject to any offset allowed under the United States Department of the Treasury's Offset Program. After the order for EAJA fees is entered, the government will determine whether they are subject to any offset.

Fees shall be made payable to Sandoval, but if the Department of the Treasury determines that Sandoval does not owe a federal debt, then the government shall cause the payment of fees, expenses and costs to be made directly to Law Offices of Lawrence D. Rohlfig, Inc., CPC, pursuant to the assignment executed by Sandoval.¹ Any payments made shall be delivered to Brian C. Shapiro.

This stipulation constitutes a compromise settlement of Sandoval's request for EAJA attorney fees, and does not constitute an admission of liability on the part of Defendant under the EAJA or otherwise. Payment of the agreed amount shall constitute a complete release from, and bar to, any and all claims that Sandoval and/or Brian C. Shapiro including Law Offices of Lawrence D. Rohlfig, Inc., CPC may have relating to EAJA attorney fees in connection with this action.

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

This award is without prejudice to the rights of Brian C. Shapiro and/or the Law Offices of Lawrence D. Rohlring, Inc., CPC to seek Social Security Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of the EAJA.

DATE: January 9, 2024 Respectfully submitted,

LAW OFFICES OF LAWRENCE D. ROHLRING, INC., CPC

/s/ Brian C. Shapiro²

BY: _____

Brian C. Shapiro
Attorney for plaintiff Sonia Rosita Sandoval

DATED: January 9, 2024

PHILLIP A. TALBERT
United States Attorney
MATHEW W. PILE
Associate General Counsel
Social Security Administration

/s/ Liva Jamala Edwards

LIVA JAMALA EDWARDS
Special Assistant United States Attorney
Attorneys for Defendant
MARTIN O'MALLEY, Commissioner of Social
Security (Per e-mail authorization)

ORDER

Date: February 6, 2024



JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE

² Counsel for the plaintiff attests that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 12631 East Imperial Highway, Suite C-115, Santa Fe Springs, California 90670.

On this day of January 9, 2024, I served the foregoing document described as STIPULATION 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 on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Ms. Sonia Rosita Sandoval
9536 Enchantment Lane
Stockton, CA 95209

I caused such envelope with postage thereon fully prepaid to be placed in the United States mail at Santa Fe Springs, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

I declare that I am employed in the office of a member of this court at whose direction the service was made.

Brian C. Shapiro
TYPE OR PRINT NAME

/s/ Brian C. Shapiro
SIGNATURE

**CERTIFICATE OF SERVICE
FOR CASE NUMBER 2:23-CV-01635-JDP**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for this court by using the CM/ECF system on January 9, 2024.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system, except the plaintiff served herewith by mail.

/s/ Brian C. Shapiro

Brian C. Shapiro
Attorneys for Plaintiff