1	KENNETH J. COLLINS, CSBN 100579		
2	ATTORNEY AT LAW P. O. BOX 1193		
3	ARCATA, CA 95518 (707) 822-1611 FAX (707) 822-1044		
4	EMAIL: <u>aew1950@yahoo.com</u>		
5	Attorneys for Defendant		
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8	UNITED STATES	DISTRICT COURT	
9	NORTHERN DISTRICT OF CALIFORNIA		
10	JEFFREY SCOTT ROSE,	) Case No.: 1:14-cv-05044-NJV ) ORDER GRANTING	
11	Plaintiff,	AMENDED STIPULATION FOR THE AWARD AND PAYMENT OF	
12	vs.	ATTORNEY FEES AND EXPENSES PURSUANT TO THE EQUAL ACCESS	
13	CAROLYN W. COLVIN, Acting Commissioner of Social Security,	TO JUSTICE ACT, 28 U.S.C. § 2412(d), AND COSTS UNDER 28 U.S.C. § 1920	
14	Defendant.	)	
15			
16	TO THE HONORABLE NANDOR J. VADAS, MAGISTRATE JUDGE OF THE		
17	DISTRICT COURT:		
18	IT IS HEREBY STIPULATED by and b	between the parties through their undersigned	
19	counsel, subject to the approval of the Court, that Plaintiff be awarded attorney fees in the amount		
20	of TWO THOUSAND, EIGHT HUNDRED AND SEVEN DOLLARS AND 26/100 CENTS		
21	(\$2,807.26) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d) and costs in the		
22	amount of FOUR HUNDRED DOLLARS (\$400.00) under 28 U.S.C. §1920. This amount		
23	represents compensation for all legal services rendered on behalf of Plaintiff by counsel in		
24	connection with this civil action, in accordance with 28 U.S.C. §§ 1920; 2412(d).		
25	After the Court issues an order for EAJA fees to Plaintiff, the government will consider the		
	Stipulation for the Award and Payment of Attorney Fees and Expenses Pursuant to the Equal Access to Justice Act, Case No. 1:14-cv-05044-NJV-1 Dockets.Justi		

1	matter of Mr. Rose's assignment of EAJA fees to Kenneth J. Collins. The retainer agreement	
2	containing the assignment is attached as Exhibit 1. Pursuant to Astrue v. Ratliff, 130 S.Ct. 2521, 2529	
3	(2010), the ability to honor the assignment will depend on whether the fees are subject to any offset	
4	allowed under the United States Department of the Treasury's Offset Program. After the order for	
5	EAJA fees is entered, the government will determine whether they are subject to any offset.	
6	Fees shall be made payable to Jeffrey Rose, but if the Department of the Treasury	
7	determines that Mr. Rose does not owe a federal debt, then the government shall cause the payment	
8	of fees, expenses and costs to be made directly to Mr. Collins, pursuant to the assignment executed	
9	by Mr. Rose. Any payments made shall be delivered to Mr. Collins.	
10	This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA	
11	attorney fees, and does not constitute an admission of liability on the part of Defendant under the	
12	EAJA or otherwise. Payment of TWO THOUSAND, EIGHT HUNDRED AND SEVEN	
13	DOLLARS AND 26/100 CENTS (\$2,807.26) in EAJA attorney fees and expenses, and payment of	
14	FOUR HUNDRED DOLLARS (\$400.00) in costs, shall constitute a complete release from, and bar	
15	to, any and all claims that Plaintiff Rose and Plaintiff's Attorney Kenneth J. Collins may have	
16	relating to EAJA attorney fees and expenses in connection with this action.	
17	This award is without prejudice to the rights of Plaintiff's Attorney, Kenneth J. Collins to	
18	seek Social Security Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause	
19	provisions of the EAJA.	
20	Respectfully submitted,	
21		
22	Dated: January 29, 2016 /s/ Kenneth J. Collins (Per email authorization)	
23	KENNETH J. COLLINS Attorney for Plaintiff	
24		
25	//	
	Stipulation for the Award and Payment of Attorney Fees and Expenses Pursuant to the Equal Access to Justice Act, Case No. 1:14-cv-05044-NJV-2	

1 2	Dated: January 29, 2016 BRIAN J. STRETCH Acting United States Attorney	
3 4	DEBORAH STACHEL Acting Regional Chief Counsel, Region IX Social Security Administration	
5	/s/ Ellinor Coder	
6	ELLINOR CODER Special Assistant United States Attorney	
7	OF COUNSEL	
8	AMANDA SCHAPEL Assistant Regional Counsel	
	(as authorized by email)	
9	Attorneys for Defendant	
10	ORDER	
11	PURSUANT TO STIPULATION, IT IS SO ORDERED that Plaintiff shall be awarded	
12	attorney fees in the amount of \$2807.26	
13		
14	, as authorized by 28 U.S.C. 2412(d), and costs in the amount of \$400.00, as	
15		
16	authorized by 28 U.S.C. §1920, subject to the terms of the above-referenced Stipulation.	
17		
18	Dated: February 25, 2016 THE HONORABLE NANDOR J. VADAS	
	United States Magistrate Judge	
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	Stipulation for the Award and Payment of Attorney Fees and Expenses Pursuant to the Equal Access to Justice Act, Case No. 1:14-cv-05044-NJV-3	

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