

1 MELINDA L. HAAG
 United States Attorney
 2 DEBORAH LEE STACHEL
 Acting Regional Chief Counsel, Region IX
 3 Social Security Administration
 LYNN M. HARADA, CSBN 267616
 4 Special Assistant United States Attorney
 5 160 Spear Street, Suite 800
 San Francisco, California 94105
 6 Telephone: (415) 977-8977
 7 Facsimile: (415) 744-0134
 E-Mail: Lynn.Harada@ssa.gov

8 Attorneys for Defendant

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 10 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA

11)	Case No.: 3:14-cv-03143-VC
12	CLAIRE BLANCHARD,)	
13	Plaintiff,)	STIPULATION AND PROPOSED ORDER
14	vs.)	APPROVING SETTLEMENT OF
15	CAROLYN W. COLVIN,)	ATTORNEY FEES PURSUANT TO THE
16	Acting Commissioner of Social Security,)	EQUAL ACCESS TO JUSTICE ACT, 28
17	Defendant.)	U.S.C. § 2412(d), AND COSTS PURSUANT
)	TO 28 U.S.C. § 1920

18 IT IS HEREBY STIPULATED by and between the parties, through their undersigned
 19 counsel, subject to the Court’s approval, that Plaintiff be awarded attorney fees and expenses in
 20 the amount of FOUR THOUSAND FOUR HUNDRED DOLLARS AND ZERO CENTS
 21 (\$4,400.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and costs in the
 22 amount of ZERO DOLLARS (\$0.00) under 28 U.S.C. § 1920. This amount represents
 23 compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with
 24 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
 26 the matter of Plaintiff’s assignment of EAJA fees to Plaintiff’s attorney. Pursuant to *Astrue v.*
 27 *Ratliff*, 560 U.S. 586, 598 (2010), the ability to honor the assignment will depend on whether the
 28 fees are subject to any offset allowed under the United States Department of the Treasury’s

1 Offset Program. After the order for EAJA fees is entered, the government will determine
2 whether they are subject to any offset.

3 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines
4 that Plaintiff does not owe a federal debt, then the government shall cause the payment of fees,
5 expenses and costs to be made directly to the Homeless Action Center, pursuant to the
6 assignment executed by Plaintiff. Any payments made shall be delivered to Plaintiff's counsel.

7 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA
8 attorney fees and expenses and does not constitute an admission of liability on the part of
9 Defendant under the EAJA or otherwise. Payment of the agreed amount shall constitute a
10 complete release from, and bar to, any and all claims that Plaintiff and/or Plaintiff's counsel,
11 including the Homeless Action Center, may have relating to EAJA attorney fees and expenses in
12 connection with this action.

13 This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security
14 Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of the
15 EAJA.

16 Respectfully submitted,

17 Dated: August 5, 2015

18 /s/ Lynn M. Harada for Mary A. Gilg*
19 (*as authorized via email on 8/4/15)
20 MARY A. GILG
21 Attorney for Plaintiff

22 Dated: August 5, 2015

23 MELINDA L. HAAG
24 United States Attorney
25 DEBORAH LEE STACHEL
26 Acting Regional Chief Counsel, Region IX
27 Social Security Administration

28 By: /s/ Lynn M. Harada
LYNN M. HARADA
Special Assistant U.S. Attorney

Attorneys for Defendant

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that Plaintiff shall be awarded attorney fees in the amount of FOUR THOUSAND FOUR HUNDRED DOLLARS AND ZERO CENTS (\$4,400.00), as authorized by 28 U.S.C. § 2412(d), and costs in the amount of ZERO DOLLARS (\$0.00), pursuant to 28 U.S.C. § 1920, subject to the terms of the above-referenced Stipulation.

Dated: August 10, 2015



THE HONORABLE VINCE CHHABRIA
United States District Judge

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