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Attorney for Plaintiff, John F. Walters

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

JOHN F. WALTERS	)	CIVIL NUMBER: 3:15-CV-1967 EMC
Plaintiff,	)	
	)	
v.	)	STIPULATION AND ORDER
	)	APPROVING COMPROMISE
	)	SETTLEMENT OR ATTORNEY
CAROLYN W. COLVIN,	)	FEEES PURSUANT TO THE EQUAL
Commissioner of Social Security,	)	ACCESS TO JUSTICE ACT
	)	
Defendant.	)	

The plaintiff attorney having met the criteria of L.R. 54-5, by meeting and conferring with the defendant, IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel, subject to approval by the Court, that plaintiff's attorney receive the following payment:

1. Defendant shall pay seven thousand three hundred dollars, (\$7,300), pursuant to the Equal Access to Justice Act (EAJA), for attorney's fees (including costs) incurred in this Court action. After the Court issues an order for EAJA fees to Defendant, the government will consider the matter of John Walters' assignment of EAJA fees to Terry LaPorte. The agreement containing the assignment is attached. 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 of EAJA fees is entered, the government will determine whether they are subject to any offset. If the Department of Treasury determines that John Walters does not owe a federal debt, the check is to be payable to Terry LaPorte, plaintiff's counsel.

2. This is a settlement of plaintiff's request for attorney's fees pursuant to EAJA, and does not constitute an admission of liability of fault on the part of defendant under the Equal Access to Justice Act.
3. Payment of the seven thousand three hundred dollars, (\$7,300), EAJA fees incurred in this court action, will constitute a complete release from and bar to any and all claims, rights, causes of action, liens or subrogated interests relating to attorney's fees pursuant to the EAJA as a result of this Court action.

Dated: 10/27/16

  
Attorney for Plaintiff – Terry LaPorte

Dated: 10/27/2016

/s/ Sundeeep Patel  
United States Attorney – Sandeep Patel

PURSUANT TO STIPULATION, IT IS SO ORDERED:

10/31/2016

Dated: \_\_\_\_\_

