

1 Katherine R. Siegfried, SBN 250558  
 2 Law Office of Katherine Siegfried  
 3 1814 Franklin Street, Suite 210  
 4 Oakland, CA 94612  
 5 Ph: 510.465.0018 Fax: 510.465.0017  
 6 Email: kat@siegfriedlegal.com

7 Attorney for Plaintiff, CANDACE F. CUISINIER

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA

<p>10 CANDACE F. CUISINIER obo CWW, a          11 minor          12 Plaintiff,          13 v.          14 CAROLYN W. COLVIN,          Commissioner of Social Security,          15 Defendant          16</p>	<p>17 CIVIL NO. 16-cv-00585-MEJ          18          19 STIPULATION AND ORDER APPROVING          20 SETTLEMENT OF ATTORNEY FEES          21 PURSUANT TO THE EQUAL ACCESS TO          22 JUSTICE ACT          23          24          25</p>
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18 IT IS HEREBY STIPULATED by and between the parties through their undersigned  
 19 counsel, subject to the approval of the Court, that Plaintiff be awarded attorney fees under the  
 20 Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), in the amount of EIGHT  
 21 THOUSAND DOLLARS AND 00/CENTS (\$8,000.00). This amount represents compensation  
 22 for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil  
 23 action, in accordance with 28 U.S.C. §§ 1920, 2412(d).

24 After the Court issues an order for EAJA fees and expenses to Plaintiff, the government  
 25 will consider the matter of Plaintiff's assignment of EAJA fees and expenses [and costs] to  
 Plaintiff's attorney. Pursuant to *Astrue v. Ratliff*, 560 US 586 (2010), the ability to honor the

1 assignment will depend on whether the fees, expenses are subject to any offset allowed under the  
2 United States Department of the Treasury's Offset Program. After the order for EAJA fees and  
3 expenses is entered, the government will determine whether they are subject to any offset.

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

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

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

14 Respectfully submitted,

15 Dated: 01/09/2017

/s/ Katherine Siegfried

KATHERINE SIEGFRIED

Attorney for Plaintiff

CANDACE F. CUISINIER OBO CWW

18  
19 Dated: 01/09/2017

BRIAN J. STRETCH

United States Attorney

DEBORAH LEE STACHEL

Regional Chief Counsel, Region IX

Social Security Administration

/s/ Jeffrey Chen

JEFFREY CHEN

Special Assistant United States Attorney

Attorneys for the Defendant

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**IT IS SO ORDERED:**

**Dated:** January 9, 2017



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**United States Magistrate Judge Maria-Elena James**