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Attorney for Plaintiff Lena Baker

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Lena Baker, )  
Plaintiff, )  
 )  
 v. )  
 )  
Carolyn Colvin, )  
Defendant. )  
\_\_\_\_\_ )

CIVIL NO. 3:16-cv-00771-EMC  
STIPULATION AND PROPOSED ORDER  
APPROVING SETTLEMENT OF  
ATTORNEY FEES PURSUANT TO THE  
EQUAL ACCESS TO JUSTICE ACT

IT IS HEREBY STIPULATED by and between the parties, through their undersigned counsel, subject to the Court’s approval, that Plaintiff be awarded attorney fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), in the amount of FOUR THOUSAND FIVE HUNDRED SEVENTY NINE DOLLARS (\$4579.00). This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. § 2412(d).

After the Court issues an order for EAJA fees and expenses to Plaintiff, the government will consider the matter of Plaintiff’s assignment of EAJA fees and expenses to Plaintiff’s attorney. Pursuant to Astrue v. Ratliff, 130 S.Ct. 2521 (U.S. June 14, 2010), the ability to honor the assignment will depend on whether the fees and expenses are subject to any offset allowed under the United States Department of the Treasury’s Offset Program. If the Department of the Treasury determines that Plaintiff does not owe a federal debt, then the government shall cause the payment of fees, expenses and costs to be made  
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SETTLEMENT OF ATTORNEY FEES PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT

directly to the Homeless Action Center, pursuant to the assignment executed by Plaintiff. The parties agree that such payment will be mailed to: Homeless Action Center, 3126 Shattuck Ave Berkeley CA 94705

Dated: December 12, 2016 By: /s/ Daniel Homer  
DANIEL HOMER  
Attorney for Plaintiff

Dated: December 12, 2016 By: /s/ Ben Porter (authorized by email 12/12/16)  
Ben Porter  
Senior Attorney, Office of the Reginal Chief Counsel, R-IX/SSA

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that Plaintiff shall be awarded attorney fees in the amount of FOUR THOUSAND FIVE HUNDRED SEVENTY NINE DOLLARS (\$4579.00), as authorized by 28 U.S.C. § 2412(d), subject to the terms of the above-referenced Stipulation.

Dated: 12/13/2016

\_\_\_\_\_  
THE HONORABLE Edward M. Chen  
United States District Judge  
Northern District California

