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 7 Attorney for Plaintiff

8  
 9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

11 DANIEL KRUGER

12 Plaintiff,

13 vs.

14 CAROLYN W. COLVIN,

15 Commissioner of Social Security

16 Defendant

) Case No.: 3:16-CV-02459 EMC

) STIPULATION FOR AWARD OF EAJA  
 FEES.

17  
 18 IT IS HEREBY STIPULATED by and between the parties through their  
 19 undersigned counsel, subject to the approval of the Court, that Plaintiff be awarded  
 20 THREE THOUSAND FIVE HUNDRED AND FIFTY-FIVE DOLLARS AND  
 21 00/100 (\$3,474.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C. §  
 22 2412(d), This amount represents compensation for all legal services rendered on  
 23 behalf of Plaintiff by counsel in connection with this civil action, in accordance  
 24 with 28 U.S.C. §§ 1920, 2412(d).

25 After the Court issues an order for EAJA fees to Plaintiff, the government  
 26 will consider the matter of Plaintiff's assignment of EAJA fees to Plaintiff's  
 27 attorney. Pursuant to Astrue v. Ratliff, 130 S.Ct. 2521, 2252-53 (2010), the ability  
 28 to honor the assignment will depend on whether the fees are subject to any offset

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

4 If the Department of the Treasury determines that Plaintiff does not owe a  
5 federal debt, then the government shall cause the payment of fees to be made  
6 directly to RICHARD ZIEMAN pursuant to the assignment executed by Plaintiff.  
7 Any payments made shall be delivered to Plaintiff's counsel.

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

14 This award is without prejudice to the rights of Plaintiff's counsel to seek  
15 Social Security Act attorney fees under 42 U.S.C. § 406, subject to the provisions  
16 of the EAJA.  
17  
18  
19

20 DATED: 12/13/2016

Richard Zieman /s/

RICHARD ZIEMAN  
Attorney for Plaintiff

25 DATED: 12/13/2016

Ben A. Porter /s/

BEN A. PORTER,  
Specialist Assistant U.S. Attorney  
Attorney for Defendant

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7 Attorney for Plaintiff

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

11 DANIEL KRUGER

12 Plaintiff,

13 vs.

14 CAROLYN W. COLVIN,

15 Commissioner of Social Security

16 Defendant  
17

) Case No.: 3:16-cv-02459 EMC

) PROPOSED ORDER AWARDING EAJA

) FEES  
18

19 Based upon the parties' Stipulation for Award of EAJA Fees ("Stipulation"),  
20 IT IS ORDERED that EAJA fees are awarded in the amount of THREE  
21 THOUSAND FOUR HUNDRED AND SEVENTY-FOUR DOLLARS AND  
22 00/100 (\$3,474.00).

23  
24  
25  
26  
27 DATED: 12/13/2016  
28

