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5 Attorneys for Defendant
6 JAIME CARDENAS

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 JAIME CARDENAS,

11 Plaintiff,

12 v.

13 CAROLYN W. COLVIN,
14 Acting Commissioner Of Social Security,

15 Defendant.

Case No. 4:13-cv-03321-DMR

~~PROPOSED~~ ORDER AND
STIPULATION AWARDING EAJA FEES

16 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,
17 subject to the approval of the Court, that Plaintiff, JAIME CARDENAS, will be awarded attorney
18 fees and costs in the amount of:

19 Three Thousand Three Hundred Dollars and No Cents (\$3,300.00) pursuant to the Equal Access
20 to Justice Act (EAJA), 28 U.S.C. § 2412(d). This amount represents compensation for all legal
21 services rendered on behalf of Plaintiff by counsel in the amount of \$3,300.00 in connection with
22 this civil action in accordance with 28 U.S.C. § 2412(d).

23 After the Court issues an order for EAJA fees to plaintiff, the Defendant will consider any
24 assignment of EAJA fees to attorney. The ability to honor any such assignment will depend on
25 whether the fees are subject to any offset allowed under the United States Department of the
26 Treasury's Offset Program. After the order for EAJA fees is entered, the Defendant will determine
27 whether they are subject to any offset.
28

1 Fees shall be made payable to JAIME CARDENAS, but if the Department of the Treasury
2 determines that JAIME CARDENAS does not owe a federal debt, then the government shall cause
3 the payment of fees to be made directly to the Mr. Robert C. Weems plaintiff's attorney or record,
4 pursuant to any assignment executed by Plaintiff. Any payments made shall be delivered to counsel.

5 This stipulation constitutes a compromise settlement of plaintiff's request for EAJA attorney fees
6 and recoverable costs and does not constitute an admission of liability on the part of Defendant
7 under the EAJA or otherwise. Payment of the agreed amount shall constitute a complete release
8 from, and bar to, any and all claims that plaintiff and/or plaintiff's counsel including Weems Law
9 Offices may have relating to EAJA attorney fees in connection with this action.

10 SO STIPULATED AND AGREED, this 27th day of January, 2015.

11 WEEMS LAW OFFICES

MELINDA L. HAAG
United States Attorney
DONNA L. CALVERT
Regional Chief Counsel

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13
14 /s/Robert C. Weems
ROBERT C. WEEMS,
Attorney for Plaintiff,
15 JAIME CARDENAS

By: /s/ Jennifer A. Kenney
JENNIFER A. KENNEY
Special Assistant U.S. Attorney
Attorneys for Defendant
CAROLYN W. COLVIN,
Acting Commissioner Of Social Security

16
17 **ORDER**

18 PURSUANT TO THE TERMS OF THE FOREGOING STIPULATION OF THE PARTIES,
19 DEFENDANT SHALL PAY TO PLAINTIFF OR PLAINTIFF'S COUNSEL THE AMOUNT OF
20 THREE THOUSAND THREE HUNDRED DOLLARS AND NO CENTS (\$3,300.00) AS AN
21 AWARD FOR FEES AND COSTS PURSUANT TO 28 USC U.S.C. § 2412(D).

22 SO ORDERED:

23
24 Date: January 28, 2015


25
26 Hon. Donna M. Ryu,
Unites States Magistrate Judge