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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

MARIAN BETTY YOUNG,)	Case No.: 4:15-cv-01029-KAW
)	
Plaintiff,)	STIPULATION AND PROPOSED ORDER FOR THE
)	AWARD OF ATTORNEY'S FEES PURSUANT TO
vs.)	THE EQUAL ACCESS TO JUSTICE ACT, 28 U.S.C.
NANCY A. BERRYHILL, Acting Commissioner of)	§ 2412(D)
Social Security,)	
)	
Defendant.)	
)	

IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel, subject to the approval of the Court, that Plaintiff will be awarded attorney fees in the amount of eleven thousand two hundred sixty dollars (\$11,260.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). 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); 1920.

After the Court issues an order for EAJA fees to Plaintiff, the Defendant will consider any assignment of EAJA fees to David J. Linden. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2252-2253 (2010), the ability to honor any such assignment will depend on whether the fees are subject to any offset allowed under the United States

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

3 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines that Plaintiff does not owe
4 a federal debt, then the government shall cause the payment of fees to be made directly to David J. Linden, pursuant
5 to any assignment executed by Plaintiff. Any payments made shall be delivered to David J. Linden.
6

7 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees and does not
8 constitute an admission of liability on the part of Defendant. This award is without prejudice to the rights of
9 Plaintiff's counsel to seek Social Security Act attorney fees under 42 U.S.C. § 406, subject to the provisions of the
10 EAJA.

11 Dated: April 27, 2017

/s/ David J. Linden
DAVID J. LINDEN
Attorney for Plaintiff

14 Dated: April 27, 2017

BRIAN STRETCH
United States Attorney

15 By */s/ Paul Sachelari*
16 PAUL SACHELARI
17 (as authorized by email on 04/25/2017)
Special Assistant US Attorney
Attorneys for Defendant

19 ORDER

20 PURSUANT TO STIPULATION , IT IS SO ORDERED:

23 Dated: 4/26/17

Kandis Westmore
KANDIS A. WESTMORE
UNITED STATES MAGISTRATE JUDGE