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2	1432 Franklin Street Telephone: (510) 836-3260 x323		
3	Facsimile: (510) 836-7690 E-Mail: MWolchansky@homelessactioncenter.c	org	
4	Attorney for Plaintiff		
5	Adam Lazar Assistant Regional Counsel Office of General Counsel		
6	Social Security Administration 160 Spear Street, Suite 800		
7	San Francisco, CA 94105 Ph.: 415-268-5601 Email: Adam.Lazar@ssa.gov		
8	Attorney for Defendant		
9	UNITED STATES DISTRICT COURT		
10	NORTHERN DISTRI	CT OF CALIFORNIA	
11			
	NICOLE S. BLOCK,		
12	Plaintiff,	CIVIL NO. 4:16-CV-2381-KAW	
13	v.		
14	NANCY A. BERRYHILL,	STIPULATION TO PLAINTIFF'S AWARD	
15	Acting Commissioner of Social Security, <sup>1</sup>	OF ATTORNEY'S FEES AND COSTS AND	
12	Defendant.	PROPOSED ORDER	
16			
17	IT IS HEREBY STIPULATED by and b	etween the parties, through their undersigned	
18	counsel, subject to the approval of the Court, that	t Plaintiff's counsel, as Plaintiff's assignee, be	
	awarded attorney fees under the Equal Access to	Justice Act (EAJA) in the amount of SIX	
19 20 21	<sup>1</sup> Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Nancy A. Berryhill should be substituted for Acting Commissioner Carolyn W. Colvin as the defendant in this suit. No further action needs to be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security		
Action, 42 U.S.C. §405(g)." STIPULATION TO PLAINTIFF'S AWARD OF 4:16-cv-0		ITORNEY'S FEES AND PROPOSED ORDER 2381-KAW	
		Dockets	

THOUSAND EIGHT HUNDRED DOLLARS (\$6,800.00). 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. §§ 1920, 2412(d).

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This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees, and does not constitute an admission of liability on the part of Defendant under the EAJA. Payment of six thousand eight hundred dollars (\$6,800.00) in EAJA attorney fees shall constitute a complete release from and bar to any and all claims Plaintiff may have relating to EAJA fees, expenses, and/or costs in connection with this action.

After this Court issues an order for EAJA fees to Plaintiff, the Commissioner will 7 consider the matter of Plaintiff's assignment of EAJA fees to Plaintiff's attorney. The ability to 8 honor the assignment will depend on whether the fees are subject to any offset allowed under 9 the United States Department of the Treasury's Offset Program and the Commissioner will determine whether the fees are subject to an offset. See Astrue v. Ratliff, 560 U.S. 586, 598 10 (2010). Any payment shall be made payable to Plaintiff, but if the Department of the Treasury 11 determines that Plaintiff does not owe a Federal debt, then the Commissioner shall cause the 12 payment of fees and costs to be made directly to Plaintiff's counsel pursuant to the assignment executed by Ms. Block, attached. 13

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

## STIPULATION TO PLAINTIFF'S AWARD OF ATTORNEY'S FEES AND PROPOSED ORDER $4{:}16{-}cv{-}02381{-}KAW$

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3       Dated: December 20, 2017       /s/ Michael Wolchansky MICHAEL WOLCHANSKY Autorney for Plaintiff         4       /s/Adam Lazar ADAM LAZAR         5       * by email authorization 12/20/17 Autorney for Defendant         7       /s         8       /s         9       /s/Adam Lazar         10       /s/Adam Lazar         11       /s/Adam Lazar         12       /s/Adam Lazar         13       /s/Adam Lazar         14       /s/Adam Lazar         15       /s/Adam Lazar         16       /s/Adam Lazar         17       /s/Adam Lazar         18       /s/Adam Lazar         19       /s/Adam Lazar         20       /s/Adam Lazar         21       /s/Adam Lazar         22       /s/Adam Lazar         23       /s/Adam Lazar         24       /s/Adam Lazar         25       /s/Adam Lazar         26       /s/Adam Lazar         27       /s/Adam Lazar         28       /s/Adam Lazar         29       /s/Adam Lazar         20       /s/Adam Lazar         21       /s/Adam Lazar         22       /s/Adam Lazar	1	
Attorney for Plaintiff <i>SiAdam Lazar</i> ADAM LAZAR * by email authorization 12/20/17 Attorney for Defendant Attorney for Defendant Attorney for Defendant 10 11 12 13 14 15 16 17 18 19 20 21 STIPULATION TO PLAINTIFF'S AWARD OF ATTORNEY'S FEES AND PROPOSED OR 4:16-ev-02381-KAW	2	
4       /s/Adam Lazar ADAM LAZAR * by email authorization 12/20/17 Attorney for Defendant         6       *         7       Attorney for Defendant         8       9         9       10         10       11         12       13         13       14         15       16         16       17         18       19         20       21         21       STIPULATION TO PLAINTIFF'S AWARD OF ATTORNEY'S FEES AND PROPOSED OR 4:16-cv-02381-KAW	3	Dated: December 20, 2017 <u>/s/ Michael Wolchansky</u> MICHAEL WOLCHANSKY
5       ADAM LAZAR * by email authorization 12/20/17 Attorney for Defendant         7       Attorney for Defendant         7       10         10       11         12       13         13       14         15       16         16       17         18       19         19       20         20       STIPULATION TO PLAINTIFF'S AWARD OF ATTORNEY'S FEES AND PROPOSED OR 4:16-cv-02381-KAW	4	
Attorney for Defendant         7         8         9         10         11         12         13         14         15         16         17         18         19         19         10         11         12         13         14         15         16         17         18         19         12         13         14         15         16         17         18         19         20         STIPULATION TO PLAINTIFF'S AWARD OF ATTORNEY'S FEES AND PROPOSED OR         4:16-cv-02381-KAW	5	ADAM LAZAR
8       9         9       9         10       9         11       9         12       9         13       9         14       10         15       10         16       10         17       10         18       10         19       10         10       10         11       10         12       10         13       10         14       10         15       10         16       10         17       10         18       10         19       10         10       10         11       10         12       10         13       10         14       10         15       10         16       10         17       10         18       10         19       10         10       10         11       10         12       10         13       10         14       10 <tr< td=""><td>6</td><td>Attorney for Defendant</td></tr<>	6	Attorney for Defendant
9         10         11         12         13         14         15         16         17         18         19         20         21         STIPULATION TO PLAINTIFF'S AWARD OF ATTORNEY'S FEES AND PROPOSED OR 4:16-cv-02381-KAW	7	
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STIPULATION TO PLAINTIFF'S AWARD OF ATTORNEY'S FEES AND PROPOSED OR 4:16-cv-02381-KAW	20	
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3	Based upon the parties' Stipulation for the Award and Payment of Equal Access to Justice Act Fees And Costs, IT IS ORDERED that Plaintiff shall be awarded attorney fees under the EAJA
4	in the amount of six thousand eight hundred dollars and zero cents (\$6,800.00), as authorized
5	by 28 U.S.C. §§ 1920, 2412(d), subject to the terms of the above-referenced Stipulation.
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8	Dated: 1/4/18
9	THE HONORABLE KANDIS WESTMORE UNITED STATES MAGISTRATE JUDGE
10	NORTHERN DISTRICT OF CALIFORNIA
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	STIPULATION TO PLAINTIFF'S AWARD OF ATTORNEY'S FEES AND PROPOSED ORDER 4:16-cv-02381-KAW 5