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9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA

11
 12 TERRANCE DIXON,
 13 Plaintiff,
 14 vs.
 15 ANDREW SAUL,
 16 Commissioner of Social Security,¹
 17 Defendant.

Case no. 4:18-cv-03483-HSG

**STIPULATION AND ORDER FOR
 THE AWARD AND PAYMENT OF
 ATTORNEY FEES PURSUANT
 TO THE EQUAL ACCESS TO
 JUSTICE ACT, 28 U.S.C. § 2412(d)**

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 27 ¹ Andrew Saul is now the Commissioner of Social Security and is automatically substituted in this action
 pursuant to Fed. R. Civ. P. 25(d). *See also* 42 U.S.C. § 405(g) (action survives regardless of any change
 in the person occupying the office of Commissioner of Social Security).

28 Stipulation
 4:18-cv-03483-HSG

1 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,
2 subject to the approval of the Court, that plaintiff Terrance Dixon (Plaintiff) be awarded attorney fees in
3 the amount of FIVE THOUSAND, SIX HUNDRED DOLLARS AND ZERO CENTS (\$5,600.00)
4 under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). This amount represents
5 compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this
6 civil action, in accordance with 28 U.S.C. §§ 1920; 2412(d).

7 After the Court issues an order for EAJA fees to Plaintiff, the government will consider the
8 matter of Plaintiff's assignment of EAJA fees to Homeless Action Center. Pursuant to *Astrue v. Ratliff*,
9 560 U.S. 586, 598 (2010), the ability to honor the assignment will depend on whether the fees are
10 subject to any offset allowed under the United States Department of the Treasury's Offset Program.
11 After the order for EAJA fees is entered, the government will determine whether the fees are subject to
12 offset.

13 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines that
14 Plaintiff does not owe a federal debt, then the government shall cause the payment of fees to be made
15 directly to Homeless Action Center, pursuant to the assignment executed by Plaintiff. Any payments
16 made shall be delivered to Homeless Action Center.

17 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney
18 fees, and does not constitute an admission of liability on the part of Defendant under the EAJA or
19 otherwise. Payment of the agreed amount shall constitute a complete release from, and bar to, any and
20 all claims that Plaintiff and/or counsel including Homeless Action Center may have relating to EAJA
21 attorney fees in connection with this action.

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28 Stipulation
4:18-cv-03483-HSG

1 This award is without prejudice to the rights of counsel and/or Homeless Action Center to seek
2 Social Security Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of
3 the EAJA.
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5 Respectfully submitted,

6 Dated: November 18, 2019

HOMELESS ACTION CENTER

7 By: /s/ Suzanne Zalev*
8 SUZANNE ZALEV
9 Attorneys for Plaintiff
10 [*As authorized by email on Nov. 15, 2019]

11 Dated: November 18, 2019


DAVID L. ANDERSON
United States Attorney

12 By: /s/ Margaret Branick-Abilla
13 MARGARET BRANICK-ABILLA
14 Special Assistant United States Attorney
15 Attorneys for Defendant
16

17 **ORDER**

18 Pursuant to stipulation, IT IS SO ORDERED.
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20 Dated: 11/19/2019

21 
22 HON. HAYWOOD S. GILLIAM, JR.
23 United States District Judge
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28 Stipulation
4:18-cv-03483-HSG