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4 Attorney for Plaintiff

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14 Attorneys for Defendant

15 IN THE UNITED STATES DISTRICT COURT FOR
 16 THE NORTHERN DISTRICT OF CALIFORNIA

17 Barbara Zoto,

18 Plaintiff,

19 vs.

20 Michael Astrue, COMMISSIONER
 of the SOCIAL SECURITY
 21 ADMINISTRATION,

22 Defendant.

No. CV 07-02972 JF

23 STIPULATION AND [PROPOSED]
 ORDER FOR
 24 COMPROMISE SETTLEMENT
 OF ATTORNEY FEES
 25 AND COSTS PURSUANT TO
 EQUAL ACCESS TO JUSTICE ACT

26 The parties, through their respective counsel, stipulate for a compromise
 27 settlement of Plaintiff’s claim for an award of attorneys’ fees and costs pursuant to
 28 the Equal Access to Justice Act (“EAJA”), as follows:

1. Defendant shall pay to Plaintiff’s counsel James Hunt Miller the total amount of TWO THOUSAND NINE HUNDRED FIFTY THREE DOLLARS

1 (\$2953.00), representing payment of all Plaintiff's claims for attorneys' fees and costs
2 pursuant to the EAJA, in accordance with 28 U.S.C. § 2412(d). Because Plaintiff has
3 assigned to the fee to her attorney James Hunt Miller, the payee will be James Hunt
4 Miller.

5 2. This stipulation constitutes a compromise settlement of Plaintiff's request
6 for attorneys fees pursuant to the EAJA, and does not constitute an admission of
7 liability or fault on the part of Defendant under the EAJA. Payment of the \$2953.00
8 shall constitute a complete release from and bar to any and all claims Plaintiff may
9 have relating to EAJA attorneys' fees and costs in this action. This compromise and
10 award is without prejudice to the rights of Plaintiff's counsel to later seek Social
11 Security Act attorney fees, under 42 U.S.C. § 406, subject to any applicable offset
12 provisions. The parties jointly submit this matter with the proposed order below.

13 Date: 04-21-09

James Hunt Miller

14 /s/
15 James Hunt Miller
Attorney for Plaintiff

16 Date: April 21, 2009

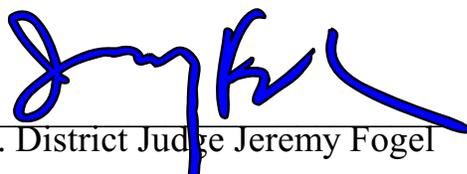
Joseph Russionello
United States Attorney

17 /s/
18 Theophous H. Reagans, Jr.
19 Special Assistant United States Attorney
Attorneys for Defendant

20 ORDER (PROPOSED)

21 Pursuant to the parties' stipulation, IT IS ORDERED that Defendant will pay
22 to Plaintiff's Counsel, James Hunt Miller, as assignee of Plaintiff, the total amount
23 of \$2953.00, representing payment of all Plaintiff's claims for attorneys's fees and
24 costs in connection with this action pursuant to the Equal Access to Justice Act, and
25 in accordance with 24 U.S.C. § 2412(d).

26 DATED: 4/24/09 _____

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U.S. District Judge Jeremy Fogel