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4 Attorney for Plaintiff  
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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10  
11 MELANIE SALAZAR

12 Plaintiff,

13 vs.

14 CAROLYN COLVIN, Acting Commissioner,  
15 Social Security Administration  
16 Defendant

NO. CV 11-3840 RMW

STIPULATION AND () ORDER

AWARDING ATTORNEY’S FEES UNDER  
THE EQUAL ACCESS TO JUSTICE ACT  
28 USCA§ 2414(d)

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18 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,  
19 subject to the approval of the Court, that Plaintiff be awarded attorney fees under the Equal  
20 Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), in the amount of \$ 4700.00 This amount  
21 represents compensation for all legal services rendered on behalf of Plaintiff by counsel in  
22 connection with this civil action, in accordance with 28 U.S.C. § 2412(d). The parties hereby  
23 stipulate that no fees will be sought by Plaintiff’s Counsel under the provisions of 42 U.S.C.A. §  
24 406(b). Defendant’s counsel will see that Defendant is appropriately made aware of this fact.  
25 This fee will be paid to Plaintiff’s attorney, upon verification that Plaintiff has no debt which  
26 qualifies for offset against the awarded fees, pursuant to the Treasury Offset Program as  
27 discussed in Astrue v.Ratliff, 130 S. Ct. 2521, 2527 (2010) (holding that EAJA awards fees to  
28 litigant, subjecting fee calculation “to a federal administrative offset if the litigant has

**STIPULATION AND ORDER**  
**RE FEES UNDER E.A.J.A.**  
NO CV. 11-3840 RMW

1 outstanding federal debts This stipulation constitutes a compromise settlement of Plaintiff's  
2 request for EAJA attorney fees.

3 Defendant's Counsel will process the fee and see that it is forwarded to the Treasury  
4 Department within 48 hours of the Court's Order approving this stipulation.

5 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA  
6 attorney fees and expenses, and does not constitute an admission of liability on the part of  
7 Defendant under the EAJA. 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 may have relating to  
9 EAJA attorney fees and expenses in connection with this action.

10  
11 Dated: \_\_\_\_\_

By: /s/ Tom Weathered  
TOM WEATHERED  
Attorney for Plaintiff

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15 Dated: \_\_\_\_\_

MELINDA L. HAAG  
United States Attorney  
By: /s/ Michael Marriott  
As authorized via e-mail)  
MICHAEL MARRIOTT  
Special Assistant United States Attorney  
Attorneys for Defendant

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22 **IT IS SO ORDERED.**

23  
24 Dated: \_\_\_\_\_

  
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RONALD M. WHYTE  
United States District Judge